MARCELLA BURKE

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SUMMARY

Pre-nomination supporter of Donald J. Trump with significant oil and gas, energy, and renewables legal experience who seeks to serve the Trump Administration through a political appointment whereby I can contribute to the Administration's mission to

- reduce regulation on the energy industry;
- promote federalism through facilitating cooperation with state environmental action;
- prove false the paradigm that to be pro-energy is to be anti-environment; and
- unleash this country's valuable energy resources so the United States can be truly energy independent.

WORK EXPERIENCE

Akin Gump Strauss Hauer & Feld LLP, Houston, TX, September 2012–present (including interim year for Texas Supreme Court clerkship)

Corporate Energy Associate Counsel/Advise/Manage a diverse group of clients in the global energy sector involving oil and gas, solar power, natural resources, and fossil fuels, with a practice focus on mergers and acquisitions, divestitures, capital markets, securities regulations, corporate governance, debt and equity offerings, debt and financial restructuring, bankruptcy, and other complex corporate matters. I have served as a lead associate managing significant transactions through the Houston and Washington, DC offices.

Professional Recognition

- Named Woodrow B. Seals Outstanding Young Lawyer of Houston Award, 2017
- Texas Rising Star, Texas Monthly 2017

CLERKSHIP, FELLOWSHIPS, JUDICIAL EXTERNSHIPS

Texas Supreme Court, Hon. Don Willett, August 2014–July 2015, Law Clerk
Drafted opinions and memoranda for both Court-wide discussion and Justice Willett's personal review; briefed the Court and fielded questions at monthly conferences on circulated draft opinions.

John Marshall Fellowship, Claremont Institute Center for Constitutional Jurisprudence, August 2014
James Wilson Fellowship, James Wilson Institute on Natural Rights & the American Founding, July 2014

United States Fifth Circuit Court of Appeals, Hon. Jennifer Walker Elrod, 2011, Extern
United States Court for the Southern District of Texas, Hon. Nancy Atlas, 2010, Extern
Texas First Court of Appeals, Chief Justice Sherry Radack, 2010, Extern

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Corporate representations include:

Upstream/ Midstream Mergers & Acquisitions

- Advise publicly held E&P in the potential acquisition of properties in the Bakken Shale, North Dakota
- Represent E&P in the acquisition of producing and undeveloped oil and gas assets in Canadian, Blaine, Kingfisher, and Major Counties, Oklahoma
- Advise publicly held midstream company on acquiring water supply, sewerage, and refuse systems midstream assets in the Appalachian Basin
- Represent natural gas liquids E&P in the acquisition of undeveloped acreage and producing properties in the Sooner Trend Anadarko Basin, Canadian, Kingfisher Counties, Oklahoma
- Representation of South Korean energy company in the negotiation of a liquefaction tolling agreement with a subsidiary of a private LNG company
- Assist private equity buyer with an equity investment in propane storage and delivery business in Kenya
- Represent publicly held E&P in connection with its joint venture with publicly held MLP
- Represent publicly held upstream oil & gas company in the acquisition of oil and gas assets through the purchase of two subsidiaries
- Represent independent oil and natural gas company in connection with the proposed acquisition of oil and gas assets from a privately held oil and gas company
- Assist publicly held E&P in raising capital to finance a transaction with Anadarko Petroleum
- Represent petroleum, natural gas, and natural gas liquids E&P in the negotiation and documentation of the divestiture of oil and gas assets
- Represent publicly held tubing company in connection with possible joint venture with major steel production company
- Represent publicly held company in connection with the potential private equity acquisition of company outstanding membership interests
- Represented the underlying company in $100 million acquisition by an affiliate

Renewable/ Solar

- Provide assistance to Fortune 200 global power company for a loan for the construction of solar projects
- Assist utility scale solar and commercial solar energy systems provider with the negotiation and purchases of a portfolio of solar projects
- Represent publicly held company in the purchase of land holding company affiliates, which own multiple solar project sites
- Negotiate the sale of renewable projects to a major electric and natural gas utility
- Represent manufacture of crystalline silicon photovoltaic cells, roof tiles and solar panels in tax equity transaction
- Advise residential solar service provider on tax-equity raise negotiations and advice
- Advise developer in the formation of a partnership with a tax-equity investor to own a solar project
- Negotiate the sale of a private solar panel manufacturer

Financial Restructuring/ Finance

- Represent the Official Committee of Unsecured Creditors of a major petroleum and natural gas E&P in connection with Chapter 11 proceedings and its affiliated debtors
- Assist with the proposed acquisition of a privately owned petrochemical plant which produces waxes, drilling fluids, diesel, and naptha through a Chapter 11 sale process
- Assist global provider of offshore contract drilling and liftboat services to the oil and gas industry with the sale of its assets (primarily offshore oil rigs), including evaluating potential bids
- Advised private equity client in the potential purchase of secured debt of an oil and gas company
- Represented publicly held company in negotiations of a $1.3 billion syndicated credit facility
- Represented private aircraft company in an $8 million aircraft acquisition financing

Securities/ Governance

- Provided securities law advice regarding 1934 Act obligations to one of the largest independent oil and gas companies in the United States
- Advise Fortune 500 independent oil and natural gas E&P company regarding compliance with securities laws, including its 1934 Act reporting and compliance obligations and its NYSE reporting and compliance obligations
- Advise publicly held propane supplier on SEC reporting and MLP governance matters
- Represent conflicts committee of publicly held company in potential acquisition by its midstream company of assets from the Sponsor
- Advise client in connection with resolution of conflicts of interest matters in connection with multiple drop down transactions
- Representation of privately owned hedge fund sponsor in a restructuring of offshore deepwater drilling company

Energy Litigation Associate (2012-2013)

- Drafted and compiled pre-trial discovery, trial motions, and pleadings for complex corporate matters
- Sat second chair in Fifth Circuit argument in which I assisted drafting the appellate brief

Semper Fi Injured Marines Fund

Much of my probono work focuses on helping military families with children with special needs get adequate health care.

- Represented a Navy Seal in an appeal from the government's claim that his heart did not qualify as an organ under the military health care statute
- Represented the special-needs daughter of a Navy captain in an appeal from the government's claim that her life-saving healthcare was not covered under Tricare
- Named firm-wide "Pro-Bono Associate of the Year" for serving as lead counsel defending disabled children of military veterans
- TIME Magazine called me a "dynamo of a lawyer" in the article, "The Pentagon's Letting Down Our Kids"
- The Atlantic called me "a smart attorney with the powerful Akin Gump law firm" in the article, "Why Congress Should Pass 'Kaitlyn's Law' Today"

EDUCATION

University of Houston Law Center, Juris Doctor, May 2012

- Harvard Journal of Law and Public Policy, editor
- Houston Law Review, editor
- Research Assistant, Administrative Law, Professor Sapna Kumar
- University of Houston Legal Writing Center, legal writing tutor
- Order of the Barons, scholastic honor society
- Received 11 scholarships: Dean's Scholarship; Academic Merit Scholarship; Houston Bar Association Auxiliary Scholarship; Aggies in the Legal Profession Scholarship; Joan Garfinkel Glantz Scholarship for best paper in civil liberties; Ron Bass Scholarship; Garland R. Walker Scholarship; Association of Corporate Counsel Scholarship; University of Houston System Award for Distinguished Service to Women; Chickasaw Nation Academic Excellence Scholarship; Chickasaw Nation Judicial Fellowship

Texas A&M University, Bachelor of Arts, May 2004

- NET Ministries: served on year-long mission trip in Australia
- Buck Weirus Spirit Award
- Distinguished Student College of Liberal Arts
- Public Policy Scholarship recipient

COMMUNITY SERVICE

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Please see the attached deal sheet for a list of oil and gas, energy, renewables, and corporate projects I have worked on.