

# Scott M. Coffey

## Shareholder

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## Practice & Industry Areas

- Corporate Law
- Corporate Finance Law
- Energy
- Health Care
- Emerging Companies
- Franchise & Distribution
- Securities Law & Corporate Governance
- Mergers & Acquisitions
- Transportation
- Florida Counsel Services

## Education

- Florida State University, J.D., with honors, 1997
- University of Florida, B.A., 1993

## Bar & Court Admissions

- Florida, 1998

## Overview

Scott M. Coffey is a business lawyer who focuses his corporate law practice on advising established and emerging companies in the energy, technology, infrastructure and health care sectors. Scott regularly counsels public and private companies and family-owned enterprises as they make critical business decisions.

In his general corporate practice, Scott has served as borrowers and lenders counsel in a variety of U.S. and cross border loan transactions. Additionally, Scott has handled private

equity investments, strategic alliances, leveraged buyouts, bridge financings, private mergers and acquisitions, and workouts and restructurings.

In the energy sector, Scott has represented borrowers and sponsors in financing the development, construction, acquisition and operation of renewable energy projects, including wind-powered, solar, geothermal and wood-burning generating facilities, as well as natural gas-fired and oil-fired electric energy generating facilities.

Scott has advised on a number of infrastructure transactions and was appointed as panel counsel to the U.S. Department of Transportation, Federal Highway Administration in connection with the Transportation Infrastructure Finance and Innovation Act loan program, in which capacity he served for five years.

Scott has been recognized in The Best Lawyers in America since 2013 and was chosen Best Lawyers 2020 Lawyer of the Year for Miami Corporate Law. Each year since 2007, Scott has been identified by Florida Trend magazine as one of its Legal Elite, a listing of the top lawyers in Florida as selected by their peers. He has also been named an up-and-coming lawyer by South Florida Legal Guide.

In addition, he has been selected for inclusion in Florida Super Lawyers – Rising Stars, published by Thomson Reuters, as well as listed in Who’s Who Legal: Florida for his project finance practice.

Scott has served as a member of the Environment, Energy and Resources Section — Energy Industry Restructuring, Finance, Mergers and Acquisitions Committee, and the Electric and Natural Gas Committee of the American Bar Association. Scott also served as a member of the Statutory Revision Committee for Chapter 607 (Florida Business Corporation Act) that developed modifications to Florida entity statutes that were signed into law by Governor DeSantis in 2019.

## **Representative Matters**

- Counseling restaurant franchise from early development and investment capital stage through ongoing multistate operations, including general corporate, enterprise structure, private equity, corporate finance and EB-5 financing stages.
- Counseling healthcare technology company from formation stage through development, growth and sale of the entire enterprise to a publicly held company.
- Appointed and serving as panel counsel to the U.S. Department of Transportation, Federal Highway Administration in connection with the Transportation Infrastructure Finance and Innovation Act loan program.
- Counseling the minority owner of a company that operates public toll roads in a term financing comprising a U.S. \$249 million term loan facility, a U.S. \$150 million liquidity facility and a guaranteed U.S. \$60 million facility.

- Represented joint-venture partner in development of luxury resort in Bermuda.
- Acting as lenders counsel to lead participant national bank in U.S. \$80 million+ leveraged financing purchase of coal supply operation in Alabama.
- Acting as lenders counsel to lead participant national bank in loan to a coal supply subsidiary of the Navajo Nation.
- Represented nationwide network of Fixed Base Operations in the acquisition from receivership of private executive airport in Miami, Florida.
- Counsel to a high-net-worth families in connection with the division of family-owned enterprises and succession planning.
- Representing the sponsor and borrower in a U.S. \$700 million term loan and letter of credit project financing deal for two wind facilities aggregating 606.5 MW of capacity.
- Serving as sponsor and project counsel in connection with a U.S. \$400 million construction term facility to finance a 668 MW simple-cycle combustion electric generation facility and 774 MW combined-cycle generation facility.
- Counseling large U.S. banks as tax equity investors in solar PV sale-leaseback projects (single asset and portfolios) backed by power purchase agreements with major commercial retailers and municipalities in the U.S.
- Representing the sponsor and borrower in a U.S. \$206 million project financing transaction for two wind- powered electric generating facilities aggregating 196.5 MW of capacity.
- Advising the issuer in a U.S. \$435 million 144A financing of a combined-cycle gas- and oil-fired electric generation facility.
- Representing the sponsor and borrower in a U.S. \$100 million project financing transaction for two wind- powered electric facilities sited in Canada.
- Representing a client in the acquisition, construction, development and operation of an electric generation facility with a 520 MW capacity.

## Honors

- *The Best Lawyers in America*®
  - Corporate Law, 2013-24
  - Corporate Law “Lawyer of the Year” in West Palm Beach, 2020
  - Securities/ Capital Markets Law, 2013, 2016-24
  - Securities/ Capital Markets Law “Lawyer of the Year” in West Palm Beach, 2016
- *Florida Trend*
  - “Legal Elite,” 2007-11, 2022
  - Up and Comer, 2006
- South Florida Legal Guide, “Top Lawyer,” 2019-20
- *Palm Beach Illustrated*, “Top Lawyers”
  - Business/Corporate, 2021-22
  - Health Care Law, 2023

- *Boca Raton Observer*, “Top Lawyers,” 2022
- *Jupiter Magazine*, “Top Lawyers,” Business/Corporate, 2021, 2023

## **Professional Associations & Memberships**

- The Florida Business Corporation Act, Statutory Revision Committee for Chapter 607, 2013-present
- Florida Bar Association, Business Law Section, 1998-present
- American Bar Association, Environment, Energy and Resources Section
- Broward County Bar Association, Business Law Section
- Palm Beach County Bar Association, Business Law Section