



David Kirchblum

Co-Chair, Commercial Finance

Philadelphia

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David represents public and private companies, general partners, private investment funds, and financial institutions in a wide range of corporate transactions, including leveraged, asset-based and structured financings, mergers and acquisitions, and fund formations, as well as advises on general corporate governance issues, including formation, regulatory, and compliance matters.

Prior to joining the firm, David worked as an associate in Philadelphia, New York, Tokyo, and Singapore. He gained experience in corporate law representing companies in consumer retail, health care, technology, manufacturing, real estate, and other industries. David led global project financing transactions across multiple jurisdictions, including East Asia and South America, and managed deliverables from foreign counsel and U.S. intellectual property, regulatory, restructuring, real estate, tax, and ERISA specialists and drafted multi-tranche and multi-currency common terms agreements, sponsor support agreements, and all ancillary documentation.

David earned his bachelor's degree from Colgate University and his law degree from Boston College Law School.

Experience

Represented Reichmann Capital Partners Limited in its acquisition of Athletica Sport Systems Inc., a hockey dasher board system manufacturer, and related financing.

Represented Fiduciary Services Group, LLC, whose subsidiary PCS Retirement, LLC is a leading retirement plan recordkeeper focused on the ERISA and non-ERISA markets, in a merger and sale transaction with Lee Equity Partners, a growth-oriented middle market private equity firm.

Represented an import and export company in its sale to a leading distributor of gourmet kitchen supplies. This transaction drew on the experience of the firm's corporate and intellectual property attorneys.

Represented Cooper University Health Care in its acquisition of Cape Regional Health System and its affiliates.

Represented Lincotek Surface Solutions, a global leader in contract manufacturing services for the aerospace and medical businesses, in its acquisition of Hitemco, LLC, a provider of diffusion and thermal sprayed enhanced surfaces.

Represented the owners of HEYDUDE®, a privately-owned casual footwear brand founded in Italy, in connection with its sale to Crocs, Inc. for \$2.5 billion. The acquisition was funded by \$2.05 billion in cash and 2,852,280 shares issued to HEYDUDE's founder. The complexity and cross-border nature of the transaction required extensive collaboration with foreign counsel in Hong Kong, Italy, and other jurisdictions.

Represented South Jersey Industries, Inc. and its natural gas public utility operating subsidiaries, South Jersey Gas Company and Elizabethtown Gas Company, in connection with a \$1 billion master credit facility.

Practice Areas

- Corporate
- Mergers & Acquisitions
- Private Equity
- Commercial Finance
- Emerging Business & Venture Capital

Education

- Boston College Law School, J.D., 2009
- Colgate University, B.A., 2005

Bar Admissions

- Pennsylvania
- New York

Court Admissions

- U.S. District Court -- Eastern District of New York

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Represented Ezaki Glico Co., Ltd., a publicly traded Japanese food company doing business across 30 countries, in its purchase of TCHO Ventures, Inc., a San Francisco-based fair trade chocolate manufacturer. The acquisition was Ezaki Glico's first acquisition of a United States company.

Represented the buyer in the purchase of one hundred percent of the membership interests in a Pennsylvania-based company that operates one of the country's most critically acclaimed Italian restaurants.

Represented Aspen Capital Partners, a real estate investment, development, asset management, and service organization, in its role as the lead investor in a \$12 million private funding round of ERP Maestro, Inc. The financing consisted of the sale of senior secured convertible promissory notes. Based in Ft. Lauderdale, Fla., ERP Maestro is a provider of leading cloud-based access control, security auditing, and risk reporting solutions for SAP systems.

Represented an early-stage technology company in its acquisition of the assets of another technology company in exchange for equity in the acquirer. The client also raised capital in a private offering to further develop and commercialize the technology and fund the company's operations for two years.

Represented PCS Retirement, LLC, a provider of recordkeeping and other services to retirement plans and their participants, in its acquisition of Aspire Financial Services, as well as in connection with raising the equity and bank financing to fund the purchase price.

Represented the seller in its sale of The Eastwood Company, an ecommerce provider of aftermarket automotive tools and equipment, to Kian Capital Partners, a private equity firm.

Represented a New York company in connection with its acquisition of an assisted living facility. The deal included serving as borrower's counsel for the issuance of \$11.3 million of bonds from The Pennsylvania Economic Development Financing Authority, the proceeds of which were used to finance the acquisition and renovation of approximately 14.7 acres of land in Harrisburg to serve as a new senior living facility.

Represented a regulated public utility company in connection with a \$100 million upsizing to a syndicated revolving credit facility.

Represented a regulated public utility company in connection with a \$100 million unsecured term loan facility.

Represented the issuer in connection with a \$145 million issuance of first mortgage bonds to a variety of institutional accredited investors.

Represented a clinical trial management, life sciences solutions, and services provider, in the acquisition of proprietary technology, software, and other intellectual property. As part of the transaction, the client and the target entered into a commercialization and developmental services agreement to formalize a strategic partnership to collaborate and further extend the technology.

Represented an affiliate of the Italian global market leader in the production of glass packaging and other related pharmaceutical equipment in a \$34 million Series A Preferred Stock Investment in an Indiana-based company operating in the contract development and manufacturing sector.

Represented PCS Retirement, LLC, a leading fiduciary retirement plan record keeper, in its acquisition of the stock of Alliance Benefit Group–Rocky Mountain (ABGRM). ABGRM, with offices in Utah and Colorado, provides a comprehensive and conflict-free retirement plan platform for financial advisors, TPAs, plan sponsors, and participants. The acquisition expands PCS's services in the western United States.

Represented Lung Therapeutics, Inc., in the sale of certain of its holdings of TFF Pharmaceuticals, Inc. common stock, which the company received as a result of the spinoff of certain technology. The sale was accomplished through a secondary public offering valued at approximately \$10 million, underwritten by ROTH Capital Partners, LLC.

Represented Genuine Health Group, LLC, a management service organization (MSO) for Medicare patients enrolled in certain Medicare Advantage plans, in a \$160 million senior credit facility with Crestline Direct Finance, LP, a private credit fund.

Represented Larchmont Imaging Associates, LLC and Radiology Associates of Burlington County PA in the sale of its radiology practice to US Radiology Specialists, Inc., a partnership of physician-owned radiology practices and diagnostic centers backed by private equity firm Welsh, Carson, Anderson & Stowe.

Represented the senior secured lender in connection with the refinancing of a \$30 million secured term loan to an international company that designs fashion products for women.