



Ellen Gibson McGinnis

Partner | Co-Head - Fund Finance Practice Group
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PRACTICES Finance, Fund Finance, Multi-Currency/Cross Border Financings, International, Project Finance and Development, Sports Law

Ellen McGinnis is the co-chair of our Fund Finance Practice Group, advising clients on subscription-secured credit facilities, a product she has worked on since its initial development in the late 1980s. Clients value Ellen's critical thinking and the innovative approach she takes to structuring and executing their financing transactions. Offering thoughtful, practical advice, Ellen serves as trusted counsel for U.S. and foreign commercial and investment banks as lenders to private equity funds. She works on many of the practice's hybrid collateral facilities and international and multi-currency transactions.

Ellen serves on the firm's Executive Committee, Board of Directors, Technology Committee, Opinion Committee, and the HB REAL Diversity Oversight Committee, which serves as an advisory committee on diversity, equity, and inclusion and oversees the implementation of recommendations to improve the recruitment, retention, and promotion of diverse talent at the firm. She leads the firm's knowledge management efforts and recently concluded service as the chair of the firm's Admission to Partnership Committee.

A graduate of Yale University, Ellen is highly involved in volunteer service to her *alma mater*. Most recently, she co-founded and served as founding chair of YaleWomen, the organization for women graduates of Yale College and Yale's Graduate School and professional schools. She is a recipient of the Yale Medal, the highest award presented by the Association of Yale Alumni to recognize and honor outstanding individual service to the university.

Ellen has been active in women's initiatives through her work with YaleWomen and at the firm, and through her service on the Council of Women's Health Research at Yale, which advances health research for women across medical and psychosocial disciplines. A committed advocate for diversity at the firm, she has built a Finance group that reflects that priority with its multitude of different perspectives. She also serves as sponsor to diverse lawyers at the firm, and, through her work on the Diversity Oversight Committee, helps the firm to drive towards achieving its diversity goals.

QUALIFICATIONS

EDUCATION

- J.D., New York University School of Law, 1985

- B.A., Yale University, 1982, *cum laude*

ADMISSIONS

- District of Columbia
 - New Jersey
 - New York
 - Texas
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Fund Finance Insights: Credit Adjustment Spreads," co-author, Haynes Boone client alert, August 17, 2023.
 - "NAV Facilities and Hybrid Facilities," co-author, LexisNexis Practical Guidance Practice Notes, current as of 5/31/2023.
 - "Co-investment Credit Facilities," co-author, LexisNexis Practical Guidance Practice Notes, current as of 5/31/2023.
 - "Subscription Secured Financings: Enforcement vs. Perfection," co-author, LexisNexis Practical Guidance Practice Notes, current as of 5/31/2023.
 - "Subscription Facility Exclusion Events," co-author, LexisNexis Practical Guidance Practice Notes, current as of 5/31/2023.
 - "Fund Documentation Issues in Subscription-Secured Financing," co-presenter, ABA Fund Finance Subcommittee Meeting, April 2023.
 - "Subscription Credit Facility Investor Pools: The Old Familiar Faces," co-author, Haynes Boone Alert, January 2023.
 - "Fund Finance Laws and Regulations 2023 | Enforcement: Analysis of lender remedies under U.S. law in subscription-secured credit facilities," co-author, *Global Legal Insights*, 2023.
 - "Declining Funding Ratios of City and County Pension Systems: Impact on Private Equity Fund Financing," co-author, Haynes Boone client alert, September 2022.
 - "Fund Finance: Impact of ILPA's DDQ 2.0 and Diversity Metrics Template," co-author, Haynes Boone client alert, November 2021.
 - "Structuring and Documenting Subscription Facilities," co-presenter, Strafford, October 2021.
 - "Keep Calm ... and Investigate Rumors LP Default Risk and Fund Finance 2.0," co-author, Haynes Boone client alert, April 2020.
 - "Understanding PE Employee Co-Investment Credit Facilities," co-author, *Law 360*, February 2020.
 - "Whose Line Is It Anyway," presenter, Fund Finance Roundtable, July 2018.
 - "Subscription-Secured Financings: Enforcement vs. Perfection," contributor, Haynes Boone client alert, July 2018.
 - "ILPA Calls on GPs for Subscription Line Transparency," co-author, Haynes Boone client alert, October 2017.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Founding Member and Former Chair, YaleWomen
- Member, Council of Advisors of Women's Health Research at Yale
- Former Chair, Board of Governors of the Association of Yale Alumni
- American Bar Association (International Law and Practice; Business Law; Law Practice Management)

- Former Partner, Commission on Women in the Profession
 - New York State Bar Association
 - District of Columbia Bar
 - State Bar of Texas
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SELECTED CLIENT REPRESENTATIONS

- Represented major U.S. and foreign banks as lead agents and arrangers to structure, negotiate and document more than \$30 billion of syndicated credit facilities and commercial paper facilities to real estate opportunity funds and other investment entities, secured by the capital commitments of fund investors.
- Represented lead agents and arrangers in multi-currency, multi-jurisdictional credit facilities to U.S. and non-U.S. borrowers.
- Represented lead agent in syndicated \$700 million hybrid facility secured by capital commitments and portfolio assets for mezzanine fund.