

POLLY SWARTZFAGER

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Seasoned business partner for deal making with over 25 years specializing in finance and M&A across a broad range of industries, including healthcare, industrial services and cybersecurity. International experience in Canada, England, Germany and Japan. Financial statement fluency.

Professional Experience

BARTLIT BECK LLP, Denver, CO

Partner

1998 – Present

- Lead debt and equity financing arrangements ranging in size from \$5 million to \$600+ million, including:
 - *Secured credit facilities* for Platte River Equity and its portfolio companies; Gaia (Nasdaq: GAIA); Doosan Turbo Machinery
 - *High yield debt offerings* for Trico Shipping; Foundation Coal; Alpha Natural Resources
 - *IPOs and secondary offerings* for Alpha Natural Resources (\$645m); Gaia; Real Goods Solar; Consolidated Cigar
 - *VC and angel financings* for DarkOwl (cybersecurity); TransZap (OilDex); OpenPeak
 - *Mezzanine financings* for Caltius Partners; St Cloud Capital; Rocky Mountain Capital Partners
- Structure and negotiate complex mergers and acquisitions and joint ventures, including within the following industries:
 - *Healthcare* - sale of Trumpet Behavioral Health to Windrose Investors
 - *Construction services* – USI’s roll-up acquisitions of Cardalls Insulation, Silver State Specialties, Glasshouse and others
 - *Satellite* – EchoStar’s acquisition of US-direct broadcast satellite business of News Corporation and MCI WorldCom (\$1.5b)
 - *Software* – sale of TransZap to Accel-KKR
 - *Energy Services* – sale of Visions Oil Tools to OFS Energy; sales of Dynaflo and Five Star Equipment to White Deer Energy
 - *Consumer Products* – Sale of Dover Saddlery to Webster Capital
 - *Natural Resources* – Alpha Natural Resources’ acquisitions of coal operations and lime processing joint venture; Crow Tribe of Indians’ coal joint venture with Australian-American Energy Co.
- Advise management and boards of directors on change of control transactions and proxy contests, crisis management, SEC disclosure, corporate governance and topical issues, including privacy and cybersecurity
- Serve as principal outside corporate counsel to Trumpet Behavioral Health, DarkOwl and several PE fund portfolio companies and, in such capacity, structure equity incentive arrangements and negotiate settlement agreements, employment/severance agreements, supply contracts and IP licenses

SKADDEN ARPS SLATE MEAGHER & FLOM LLP, New York, NY

Corporate Associate

1988 – 1990; 1994 – 1997

- Represented domestic and foreign issuers and underwriters in public offerings and private placements of equity and debt securities
- Negotiated debt restructurings, structured tender offers and consent solicitations

DORSEY & WHITNEY LLP, London, UK

Corporate Associate

1991 – 1992

- Represented corporate clients in purchases and sales of businesses in the United Kingdom, Belgium, Germany, and other EC countries; represented issuers and investment banks in international securities offerings
- Negotiated joint ventures, licensing and know-how transfer agreements throughout Europe

Board Experience

MENTAL HEALTH PARTNERS

2018 – present

Director, Executive Committee (Member), Enterprise Risk Management Committee (Chair), CEO Search Committee (Member)

- Community mental health center serving Boulder, Broomfield, Lafayette and Longmont, CO with annual budget of \$42+ million

COLORADO BUSINESS BANK

2017

Denver Advisory Board Member

Education

STANFORD LAW SCHOOL | STANFORD GRADUATE SCHOOL OF BUSINESS, Palo Alto, CA

JD/MBA | May 1988

COLORADO COLLEGE, Colorado Springs, CO

B.A. Economics, magna cum laude | May 1984

- Phi Beta Kappa | Boettcher Scholar | Kenneth D. Curan Prize in Economics

LONDON SCHOOL OF ECONOMICS, London, UK

General Course Diploma | coursework emphasis in monetary economics, international business and law | 1983

Government Service

- Former Staff Intern for SEC Commissioner Joseph A. Grundfest and Congressional Assistant to US Rep. Timothy E. Wirth

Other

- Bar memberships/affiliations: Member of Colorado and New York Bars; American Bar Association Member
- Professional Programs: 2019-2020 Women's Leadership Foundation Corporate Boardbound Program
- Activities/Awards: USFSA Gold Medal Ice Dancer; US National Synchronized Skating Team Championships 2004 Silver and 2005 Bronze Medalist
- Personal interests: Ice skating, downhill skiing and jogging with (or without) the family dog