



R. Brooks Herrick

Partner

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Louisville, KY

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Brooks focuses his practice on corporate matters, assisting clients in various governance matters and contract negotiations to ensure clients meet all of their business goals. He knows contracts are essential in preventing problems for clients and his experience includes reviewing and drafting governance documents, supply agreements, and software licensing agreements. Brooks understands and enjoys the importance this counsel has on the growth of a client's business and potential positioning for the acquisition process.

He also has significant experience representing public utilities across the Commonwealth and beyond, providing a wide range of services to guide clients through operational and regulatory issues. Brooks' experience with electric utilities includes representing generation and transmission cooperatives in regulatory filings, as well as providing counsel to numerous distribution cooperatives and the statewide organization for distribution cooperatives regarding various operational and regulatory issues. In addition, he has significant experience in the telecommunications industry, representing local exchange carriers, wireless telephone providers, and telecommunications infrastructure providers in numerous business matters and regulatory filings. In conjunction with his representation of utilities, Brooks has negotiated numerous agreements with state and local governments and agencies, including assisting clients in traversing the public bid process.

Brooks also has experience helping clients navigate both the Fair Debt Collection Practices Act and the Fair Credit Reporting Act, including handling compliance matters. His familiarity with the acts' detailed rules enables him to help clients with their cases from start to finish, with a focus on avoiding costly litigation.

Services

- Corporate & Transactional
- False Claims Act
- Litigation
- Public Utilities Industry

Education

- University of Kentucky College of Law (J.D., *summa cum laude*, 2013)

- Kentucky Law Journal, online editor
- Bellarmine University (B.A., *summa cum laude*, 2010)
 - Economics & Political Science

Bar Admissions

- Kentucky

Court Admissions

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

Affiliations/Memberships

- Young Professionals Association of Louisville, Emerging Leaders Program

Distinctions

- Kentucky *Rising Star*®
 - For Credit Debtor Rights (2021)
- *Best Lawyers*®
 - "Ones to Watch" in Louisville for Commercial Litigation (2022-2024)

Experience

Negotiated Member Interest Purchase Agreement and Metal Supply Agreement Involving Multiple Clients

We represented our clients through the complex negotiations of a binding membership interest purchase agreement, metal supply agreement, and associated agreements involving intellectual property rights. Our clients, UACJ Corporation and its U.S. subsidiary, Tri-Arrows Aluminum Holding Inc., opted to sell their interest in Constellium-UACJ ABS LLC, a Bowling Green, Kentucky joint venture engaged in finishing automotive body sheet, which it previously held with their joint venture partner, Constellium N.V. and Constellium U.S. Holdings I, LLC. Our team assisted with the negotiations resulting in the termination of the membership agreement, working with owners and representatives in Tokyo, Paris, New York, and Louisville. As part of the deal, we also assisted with the negotiations of a metal supply agreement ensuring that Tri-Arrows Aluminum, also our client, would remain a supplier of cold coil to the Constellium Bowling Green plant for up to five years.