

Kirkland's Maloney heads to Orrick

After two years at Kirkland & Ellis, Sean Patrick Maloney is now a partner at Orrick, Herrington & Sutcliffe in New York, where he is expected to help the law firm 'fill a gap' in the brownfield infrastructure sector.



Sean Patrick Maloney

KIRKLAND & ELLIS' Sean Patrick Maloney has left the law firm to join the infrastructure practice of Orrick, Herrington & Sutcliffe, becoming the latest infrastructure attorney to change jobs during a first quarter filled with high-profile coming-and-goings in the sector.

Maloney joined Orrick in New York as a partner within its global finance group, which encompasses infrastructure. His arrival comes little

more than two years after he joined Kirkland, where he focused his practice on brownfield infrastructure transactions, such as long-term parking leases.

"Sean brings a number of strengths, but one strength is the opportunity to expand to that area," Dan Mathews, chair of Orrick's global finance group, said in an interview. "It certainly fills a gap," he added.

Mathews pointed out that Orrick held legal advisory assignments on some of the US' early brownfield transactions, such as the 2005 Chicago Skyway and 2006 Indiana Toll Road privatisations, but has of late been more focused on new-build or greenfield transactions.

Among these were the Denver Eagle transit public-private partnership (PPP), where Orrick represented the winning Fluor-Macquarie consortium, Virginia's Capital Beltway PPP, where Orrick represented the Transurban-Fluor consortium, and the North Tarrant Express PPP, where Orrick served as counsel to the deal's bond underwriter, JPMorgan.

When Maloney joined Kirkland & Ellis in early 2009, his hire sent a strong signal to the market that the law firm was looking to do more in PPPs. Just prior to his arrival at the firm, Maloney had spearheaded the formation of New York's State Asset Maximisation Board, which was tasked with identifying PPP opportunities across the state.

Looking ahead, Mathews believes the US market is poised to see a mix of brownfield and greenfield transactions. "We expect to see an increase in both," he said. For his part, Maloney expects to see more

parking leases like those executed by Chicago and, more recently, Indianapolis.

"I think you'll continue to see parking transactions come to market from both municipalities and authorities," he said. While at Kirkland, Maloney represented JPMorgan Asset Management on its winning \$452 million bid to acquire a long-term lease on Pittsburgh's parking meters. However, the deal fell apart when Pittsburgh City Council voted down the deal.

"Pittsburgh showed that there are challenges but also clearly demonstrated the level of interest on the private side," Maloney said.

At Orrick, Maloney said he will focus his practice on North American infrastructure transactions. He is joining a 25-strong team that Orrick has dedicated to infrastructure across offices in the US, Europe and Asia, Mathews said.

Plenty of turnover

Kirkland & Ellis is not alone in seeing an infrastructure lawyer go to a competitor. So far, 2010 has been marked by high-profile comings-and-goings at several law firms active in the US' infrastructure sector.

In February, McDermott, Will & Emery lost David Locascio and Jose Luis Vittor to Hogan Lovells, which hired the duo as partners in its infrastructure, project and public finance and energy practices in Houston.

In January, Richard Ornitz, former head of DLA Piper's Americas infrastructure practice, switched to Washington, DC-based Patton Boggs to co-head the firm's global infrastructure and private capital practice. He was joined by several DLA colleagues, including Jay Tannon, Thomas Reems, Mathew Garver and John Arrington.

Other firms have been busy beefing-up their presence in infrastructure. Ballard Spahr re-hired Ed Rendell, former governor of Pennsylvania, to serve as a partner in Philadelphia focusing on infrastructure and PPPs, among other practice areas.

And in November Allen & Overy added a fourth partner, Andrew Fraiser, to its growing North American PPP practice. Fraiser joined the group from Allen & Overy's London office, where he was a partner within its UK PPP practice.

