

W. Benjamin Barkley

Partner

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Services

Joint Ventures & Strategic
Alliances
Mergers & Acquisitions
Private Equity
Corporate Governance
Special Committee Representation
Business & Finance
Securities
Government & Regulatory

Industries

Media & Entertainment
Consumer Goods
Technology
Retail & Consumer Goods

Ben Barkley advises public and private clients in a broad range of corporate finance transactions and securities regulatory matters, including mergers and acquisitions; public offerings and private placements of debt and equity securities; venture capital and private equity investments; compliance with securities disclosure obligations; corporate governance; corporate restructurings; recapitalizations and distressed situations; joint ventures and strategic alliances; and special committee, board and independent director counsel.

Mr. Barkley has broad experience structuring and executing mergers and acquisitions and other control transactions, including extensive experience representing strategic buyers in consolidating industries, leading serial acquisition programs including from 10 to 120 acquisitions. He has handled public and private issuances of debt securities in transactions ranging in size from \$20 million to \$1.35 billion, including Rule 144A offerings, high yield 144A-for-life bond offerings, investment grade public debt offerings, institutional private placements, and Exxon Capital debt exchange offerings. He also has extensive experience with equity offerings ranging in size from \$10 million to more than \$1 billion, including initial public offerings, secondary offerings, at-the-market continuous offerings, and PIPES transactions.

Mr. Barkley was listed in *The Best Lawyers in America*® for Corporate, Leveraged Buyouts and Private Equity, Mergers & Acquisitions, and Securities/Capital Markets Law in 2019 and each of the ten years immediately preceding and again in 2020 and 2021 for Corporate, Leveraged Buyouts and Private Equity, Mergers and



Acquisitions, Securities/Capital Markets, and Securities Regulation Law. He was also named a 2017 "Atlanta Lawyer of the Year" by *The Best Lawyers in America*®. He is listed in the 2020 and the 11 years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* as a leading lawyer for Corporate/Mergers & Acquisitions and in the 2009, 2011, 2012, 2019 and 2020 editions of *Legal 500 US* for Mergers & Acquisitions. He was also named as a top "Dealmaker" of 2008 by the *Atlanta Business Chronicle*. Mr. Barkley was recognized by the *Atlanta Business Chronicle* in 2004 for being one of Atlanta's "Up and Comers – Under 40 and Rising," and has been recognized as a 2009 Georgia "Super Lawyer" for Corporate Law, Mergers & Acquisitions, and Securities Law by *Super Lawyers* magazine, and again in 2018 and the seven years immediately preceding for Mergers & Acquisitions. In 2012, 2013 and 2014, he was recognized as one of *Georgia Trend's* "Legal Elite" for Corporate Law. Mr. Barkley previously served as Deputy Managing Partner of the firm, and as Chairman of the Corporate Department. He is AV® rated by Martindale-Hubbell.*

*CV, BV, and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedure's standards and policies.

Experience

Represented United Capital Financial Partners in its \$750 million sale to The Goldman Sachs Group, Inc. in May 2019.

Represented Andritz AG in its \$800 million acquisition of Xerium Technologies, Inc. (NYSE: XRM)

Represented Aaron's Inc. (NYSE: AAN) in its \$700 million acquisition of Progressive Finance Holdings, Inc.

Represented an international hotel company in the acquisition of hotel franchise system.

Represented Cypress Communications, Inc., a publicly held telecommunications company, and its board in connection with the private auction and ultimate sale of the company.

Represented United Capital Financial Partners, Inc., a financial services industry consolidator, in acquisitions of more than 100 companies.

Represented Oldcastle Inc., an international architectural and construction products company, in its acquisition program.

Represented Miller Industries, Inc., the largest manufacturer of tow trucks in the world, in its vertical integration strategy involving the acquisition of more than 120 companies within its industry in more than 75 markets.

Represented Pro Brand International, Inc., in its merger with special purpose acquisition company Granahan



McCourt Acquisition Corp. (AMEX: GHN).

Represented Friedman's, Inc., a leading U.S. operator of jewelry stores and portfolio company of Harbinger Capital Partners, with sale of assets through distressed 363 sales.

Represented EyeWonder, Inc. in its \$110 million merger with Limelight Networks, a publicly traded content delivery network provider.

Education

Terry College of Business, University of Georgia M.B.A. (1988) Finance and Marketing

University of Georgia B.A. (1987) Political Science, *magna cum laude*

University of Georgia School of Law J.D. (1991) *magna cum laude*

Admissions

Georgia (1991)

Professional & Community Activities

Camp Sunshine, Inc., Board of Directors, Chairman

Leadership Atlanta (Class of 2003)

Empty Stocking Fund, Chairman, Board of Directors

Georgia Transplant Foundation, Pro Bono General Counsel

The Georgia Trust for Historic Preservation, Board of Trustees

University of Georgia, Terry College of Business, Alumni Board

Paideia School, Board of Trustees

University of Georgia, Dean Rusk Center for International, Comparative and Graduate Legal Studies, Board of Advisors

Insights

[News Releases](#)

Kilpatrick Townsend Advises Delta Air Lines on \$9 Billion SkyMiles Financings
September 30, 2020

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2021



August 20, 2020

[Perspectives](#)

Monthly Minute | Agribusiness and Food Technology

August 18, 2020

[News Releases](#)

Preeminent Private Equity Partner Michael Cochran Joins Kilpatrick Townsend

July 13, 2020

[News Releases](#)

Kilpatrick Townsend Receives Top Rankings in 2020 *Legal 500 US*

June 23, 2020

[In The News](#)

Davis Polk, Kilpatrick Townsend Steer Delta's \$3.5B Offering

May 6, 2020

[News Releases](#)

Kilpatrick Townsend Achieves Top-Tier Recognition from *Chambers USA 2020*

April 24, 2020

[In The News](#)

Kilpatrick Townsend Acts as Counsel to Delta Air Lines in Offering

October 29, 2019

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020

August 15, 2019

[News Releases](#)

Kilpatrick Townsend Adds Prominent Four-Lawyer M&A Team to Raleigh Office

August 8, 2019

[Perspectives](#)



KT Client Success | Kilpatrick Townsend Represents Wealth Management Firm from Birth to \$750 Million Exit
July 18, 2019

[News Releases](#)

The Surge: Kilpatrick Townsend Hosts Inaugural Diversity and Inclusion Summit
July 12, 2019

[News Releases](#)

Kilpatrick Townsend Receives Top Rankings from 2019 Legal 500 US
July 10, 2019

[News Releases](#)

Kilpatrick Townsend Wins Airfinance Journal Award
May 20, 2019

[In The News](#)

Kilpatrick Townsend Counsels United Capital in Goldman Sachs Deal
May 16, 2019

[News Releases](#)

Kilpatrick Townsend Achieves Top-Tier Recognition from Chambers USA 2019
May 2, 2019

[News Releases](#)

Kilpatrick Townsend's Ben Barkley Named Chair of Camp Sunshine
January 24, 2019

[In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019
August 20, 2018

[In The News](#)

Kilpatrick Townsend Provides Legal Counsel to ANDRITZ in \$833 Million Deal to Acquire Xerium Technologies
June 25, 2018



[In The News](#)

Kilpatrick Counsels Interface on Nora Systems Acquisition

June 15, 2018

[In The News](#)

Cadence Bancorporation to Acquire Atlanta Bank in \$1.4B All-Stock Deal

May 14, 2018

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2018

May 11, 2018

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers

February 28, 2018

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2017 "Legal Elite"

December 7, 2017

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

[News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2017

May 30, 2017

[News Releases](#)

Kilpatrick Townsend Assists AT&T on Straight Path Deal

April 10, 2017

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Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 2017



[News Releases](#)

Best Lawyers in America Names Kilpatrick Townsend Attorneys 2017 Lawyers of the Year

August 24, 2016

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Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017

August 16, 2016

[Alerts](#)

Nasdaq Requires Listed Company Disclosure of Third Party Compensation Agreements with Directors and Nominees

July 29, 2016

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Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2016

May 31, 2016

[Alerts](#)

SEC Adopts Final Crowdfunding Rules

November 17, 2015

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016

August 19, 2015

[Alerts](#)

It's Not Too Late to Avoid Early

June 9, 2015

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Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2015

May 22, 2015

[Alerts](#)

SEC Adopts Final Regulation A+ Rules Ushering in New Era of Capital Raising

April 15, 2015



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Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015