



**Ken Rivlin**  
**Partner**

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**Qualifications:**

J.D., Boston University, <i>cum laude</i>	1994
B.A., Brown University	1987
Admitted: Bar of the State of New York	1997
Admitted: Bar of the State of New Jersey	1995

**Post-Qualification Experience:**

Partner, Allen & Overy LLP, New York	2004–Present
Senior Counsel, Allen & Overy, New York	2001–2004
Associate, Cravath, Swaine & Moore LLP, New York	1996–2001
Associate, McCarter & English, New Jersey	1994–1996

Ken is head of our U.S. Environmental & Regulatory Law Group. He advises U.S. and multinational clients on environmental risk in business transactions, handles environmental litigation, and counsels on environmental issues generally. Ken and his team, along with other lawyers in A&O's Global Environmental Law Group, are generally considered to have the leading practice advising US and multi-national clients on compliance with global product responsibility requirements, including EU WEEE and RoHS, China RoHS, EU REACH, and similar laws in the US and elsewhere in the world. Ken and his team also have extensive experience drafting and negotiating environmental agreements, managing due diligence, assessing environmental insurance coverage, tracking legislative and regulatory developments, counseling on disclosure and related obligations under the U.S. securities laws, and providing advice regarding transaction structure and management of asbestos and other "toxic tort" liabilities.

In addition, Ken's team has considerable experience advising clients on compliance with the US Foreign Corrupt Practices Act, sanctions programs imposed by the US Treasury Department's Office of Foreign Asset Control (OFAC), and Exon-Florio and similar matters.

Previously, Ken served as Press Secretary and Environmental Legislative Assistant to former U.S. Congressman Jim Slattery, Press Secretary to former U.S. Congressman Frank J. Guarini and intern for former U.S. Senator Bill Bradley.

Ken speaks and writes frequently on environmental issues and is Adjunct Professor of Environmental Law at Benjamin N Cardozo School of Law. Ken is distinguished as a top lawyer in environmental by Chambers USA 2007: America's Leading Lawyers for Business.

**Representative Transactions:**

- GE Healthcare—On the environmental aspects involved in its pending US\$1.09 billion acquisition of Vital Signs, Inc., a global provider of medical products applicable to a wide range of care areas such as anesthesia, respiratory, sleep therapy and emergency medicine
- Balfour Beatty, the international engineering, construction, investment and services group—On the environmental aspects involved in the acquisition of the military PPP accommodation business of GMH Communities Trust, the U.S. real estate investment trust, for a cash consideration of US\$350 million

- Imperial Tobacco—A FTSE 100 company, on its US\$1.9 billion acquisition of Commonwealth Brands, the fourth largest cigarette manufacturer in the U.S.
- Lloyds TSB & RBSG—As joint coordinators for the secured lenders, led the negotiations with a diverse lender group on US\$215 million Chapter 11 reorganization of Blue Bird Body Company and certain of its affiliates
- Finmeccanica—"Eurosistem" transaction with BAE
- Unilever—Various transactions, including divestitures of its specialty chemicals businesses, Gorton's and Bestfoods Baking Company
- Various U.S. and multi-national computer equipment and other high-tech product manufacturers and distributors—Ongoing advice regarding compliance with EU environmental requirements
- The World Bank—Advice regarding establishment of the Community Development Carbon Fund
- SIIF Energies—Acquisition of U.S. and European wind farm assets from enXco
- Almac Science—Acquisition by Electricité de France affiliate of U.S. clinical testing businesses from Galen Holdings
- Bayer—Acquisition of Polyols Business of Lyondell and Propylene Oxide Joint Venture between Bayer and Lyondell
- Agfa—Acquisition of certain printing and publishing businesses of Dupont
- Akzo Nobel—Sale of CPFilms Inc. (formerly Courtaulds Performance Films, Inc.) to Solutia Inc.
- Bristol Myers Squibb—Acquisition of Dupont Pharmaceuticals
- Salomon Smith Barney, JPMorgan Chase, Morgan Stanley and various other investment banks and private equity firms—Transactions involving a wide range of industries, including chemicals, specialty materials, heavy manufacturing, oil and gas, pulp and paper, utilities, mining and telecommunications
- Ripplewood Holdings, Inc.—Various acquisitions, including Primedia, Inc.
- Sterling Diagnostic Imaging, Inc.—Acquisition of DuPont's medical diagnostic imaging business
- Milacron—Various stock and asset transactions on behalf of Milacron (formerly Cincinnati Milacron)
- Smiths Group—Sale of John Crane Lips marine propulsion business
- SmithKline Beecham—Sale of its clinical laboratory business to Quest Diagnostics Incorporated
- Anchor Glass Container Corporation—Sale of its bottle manufacturing and distribution business to Ball-Foster Glass Container Co., L.L.C.
- Smiths Group—Sale of Icore International and marine propulsion businesses
- Degussa UK Holdings Limited—Advice regarding various U.S. litigation matters
- Syngenta—Acquisition of seed business from AstraZeneca
- T&N Pensions Trustee Ltd.—Advice regarding U.S. asbestos liabilities in connection with restructuring and reorganization of Federal Mogul

- Various clients—Advice regarding the U.S. Foreign Corrupt Practices Act, OFAC and Exon-Florio

**Selected Publications:**

- "The REACH of Europe's Regulatory System: New Era Begins for Registration and Assessment of Chemicals", by Kenneth Rivlin, Felise Cooper, Matthew Townsend and Rebecca Lawson, *New York Law Journal*, P. 9, July 14, 2008.
- "Preparing for the WEEE Directive," *Circuits Assembly*, April 2005, with Jean-Philippe Brisson and David Wharwood
- "Proposed Rule Changes to Federal Civil Procedure May Introduce New Challenges in Environmental Class Action Litigation," *Harvard Environmental Law Review*, Volume 27, Number 2, (July) 2003, with Jamaica Potts
- "Not So Fast: The Sealed Air Asbestos Settlement and Methods of Risk Management in the Acquisition of Companies with Asbestos Liabilities," 11 *NYU Environmental Law Journal*, July 2003, with Jamaica Potts
- AeA and Allen & Overy, Rising Environmental Stakes in Europe—The New Environmental Laws Applicable to Electrical and Electronic Equipment and What They Mean for High-Tech Companies, April 2003
- "The Precautionary Principle Under U.S. Law," 11 *Environmental Liability* 1, February 2003, with Jean-Philippe Brisson
- "2002 Annual Report, Environmental, Energy & Resources Law: 2002 Year in Review 227," 2003 (summary of recent developments in parent corporation liability), with Valerie Vena and the American Bar Association Environmental Transactions, Audits and Brownfields Committee
- "Atlantic Coast May End State Waste Flow Scheme," *New Jersey Law Journal*, March 13, 1995