

Mark Jutsen

Partner

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Mark helps financial institution clients navigate complex debt finance transactions and restructuring matters primarily for their Corporate Trust and Agency businesses in domestic and global transactions.

Mark is a finance and restructuring lawyer based in Dorsey's New York office. He has dedicated his practice to corporate finance representing banks as Corporate Trustee, Collateral Agent, Escrow Agent, Loan Administrative Agent and numerous other agency capacities, and as Custodian in a broad range of debt capital markets, project finance and lending transactions across all product lines. Mark has handled debt finance transactions across a broad range of industries including mining, energy, gaming, banking, shipping transportation and manufacturing. Mark has a particular focus on representing Trustees and Collateral Agents in secured corporate debt transactions, project finance, and loan agency. This experience is enhanced with his background at a top tier New York firm representing Issuer and Underwriters in debt capital markets deals giving him a deep understanding of deal structures and the relationship of the Trustee and Agent to other parties on the deal, and the unique role of Trustees and Agents. His practice covers domestic, cross border and global transactions. Mark is admitted in the Australia (New South Wales) as well as in New York. Mark also has extensive experience in asset backed securitization including residential mortgage backed securities. Mark also has a background in bank lending and represents the loan agency business of banks.

Mark's practice focuses on new deal engagements, ongoing deal administration, dispute resolution, restructuring and defaults, covering all types of financial products for the life of the deal. Product areas and matters covered include:

- Secured and unsecured corporate debt offerings
- Domestic and Foreign Collateral
- TIA qualified and exempt financings and private placements

Education

- University of New South Wales (LL.B., 1995)
- University of New South Wales (Bachelor of Commerce, Corporate Finance, 1995)

Bar Admissions

- New York

- Corporate debt restructuring
- Project finance sovereign debt offerings
- Securitizations (RMBS, ABS, corporate repackaging and resecuritizations)
- Escrow agreements
- Custody
- Loan Agency
- Medium Term Notes, Covered Bonds and Commercial Paper Programs
- Municipal debt
- Indian and Gaming
- Ethanol plant financing and restructuring

Mark advises on developing and updating precedent for his corporate trust clients and advising them on regulatory compliance and risk management issues.

Select Experience

Secured Corporate Debt

- Represented Trustee and Collateral Agent in connection with the offering of \$225,000,000 First Lien Senior Secured 144A / Reg. S Notes issued by one of the largest U.S. casino and gaming companies.
- Represented Trustee, Collateral Agent and Escrow Agent in connection with the escrow offering of \$1,250,000,000 Second-Priority Senior Secured 144A / Reg. S Notes issued by a national vehicle transporter.
- Represented Collateral Trustee in connection with the offering of \$500,000,000 Parity Lien and Priority Lien Secured Notes issued by the largest privately owned coal company in the United States.
- Represented Indenture Trustee and Collateral Agent in connection with the offering of billions of dollars of 144A / Reg. S First Priority Ship Mortgage Notes. The collateral included cargo tankers flagged in multiple foreign jurisdictions.

Court Admissions

- New South Wales
- Australia

Professional Affiliations

- Member, New York State Bar Association
- New South Wales (Australia) Law Society

Select Presentations

- Presentation to corporate trust clients on document standards, updates and market trends (April 2019).
- Presentation to corporate trust clients on LIBOR phase out - considerations for Trustees (December 2018).
- Presentation to corporate trust clients on the role of Collateral Agents in secured international and cross border notes offerings (June 2010).
- Presentation to corporate trust clients on the role of Collateral Agents in secured domestic notes offerings on the role of the Collateral Agent in domestic notes

offerings (October 2009).

- Panelist on ABA Capital Markets (Trust Management) Seminar about Regulation AB and structured finance notes offerings (April 2007).
- Panelist on presentations and training seminars to corporate trust clients on Regulation AB and structured finance notes offerings.