

Susan Kiernan

Counsel

Providence

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OVERVIEW

Sue focuses her practice on public finance, representing a diverse range of clients, including issuers, underwriters, banks, and borrowers in taxable and tax-exempt debt financings. She has extensive experience serving as bond counsel and has played a pivotal role in structuring and completing complex project financings for nonprofit organizations. Sue's clients include public and private universities, preparatory schools, charter schools, senior living communities, and other health care organizations.

Sue's representative experience includes working with cities, towns, and other governmental agencies and instrumentalities on financings relating to school construction projects, public water and wastewater projects, recreational facilities, economic development projects, and student loan programs. She drafts primary financing documents, such as indentures, loan and trust agreements, official statements, purchase contracts, blue sky memoranda, legislation, and opinions.

Sue also represents national and state-chartered banks, as well as borrowers, in all aspects of commercial finance transactions, including real estate, construction, and asset-based lending.

REPRESENTATIVE MATTERS

- Served as bond counsel to the Rhode Island Health and Educational Building Corporation in connection with bonds and notes issued for the financing of various capital projects for eligible institutions, including municipalities, public and private educational institutions, nonprofit performing arts centers, museums, hospitals, and other nonprofit physical and mental health care organizations.
- Served as bond counsel to the Rhode Island Health and Educational Building Corporation in connection with a new money bond issue for the Lifespan Obligated Group, consisting of Rhode Island Hospital, The Miriam Hospital, Emma Pendleton Bradley Hospital, Rhode Island Hospital Foundation, and The Miriam Hospital Foundation.
- Served as bond counsel to the Pawtucket Redevelopment Agency in connection with the issuance of its Designated Baseline Taxes Appropriation Revenue Bonds (Tidewater Water Landing Phase 1A Project) Series 2024A to finance the construction and equipping of a soccer stadium and related improvements in Pawtucket, Rhode Island.
- Served as borrower's counsel to a higher education institution in connection with a complex cash optimization transaction in which the university used cash on hand to defease a portion of its outstanding tax-exempt bonds.

(versus a bond-funded refunding transaction) and issued new money bonds to finance various capital projects instead of cash funding. The firm provided critical advice in structuring and documenting the transaction to ensure compliance with the IRS Regulations governing refundings.

- Served as borrower's counsel to a local charter school in connection with a conduit financing through the Rhode Island Health and Educational Building Corporation.
- Served as lender's counsel to a national banking association in connection with various loan facilities to a health and human services organization and its affiliate with multiple real estate locations in Massachusetts and Connecticut.
- Served as underwriter's counsel to an investment bank in connection with the issuance of multiple series of AMT and taxable student loan bonds by the Rhode Island Student Loan Authority.

AWARDS

- *Best Lawyers in America*®, Banking and Finance Law, Public Finance Law (2022-2026)
- *Super Lawyers*® Rhode Island Rising Star, Government Finance (2010-2013)

TOP AREAS OF FOCUS

- Bond Counsel
- Finance + Banking
- Public Finance

ALL AREAS OF FOCUS

- Bond Counsel
- Educational Institutions
- Finance + Banking
- Health Care Transactions
- Public Finance

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Rhode Island Bar Association
- Member, Massachusetts Bar Association
- Member, National Association of Bond Lawyers
- Board member, East Greenwich Youth Field Hockey Association, Inc.
- Member, Holy Cross Club of Rhode Island
- Member, Holy Cross Athletic Alumni Association

EDUCATION AND CERTIFICATIONS

EDUCATION

- Roger Williams University School of Law, J.D., 2002
- College of the Holy Cross, B.A., 1995

BAR ADMISSIONS

- Rhode Island
- Massachusetts