



Marc S. Kurzweil

Partner

New York

T: +1 646.414.6921 | F: +1 973.535.3321

mkurzweil@lowenstein.com

Marc's clients include international and U.S.-based lenders and borrowers from a range of industries, including insurance, paper and forest products, pharmaceuticals, real estate, financial services, telecommunications, manufacturing, health care, art, technology, and diamonds and jewelry.

Marc represents agent banks, lenders, corporate borrowers, private equity funds, hedge funds, real estate investment trusts (REITs), and high-net-worth individuals in a variety of complex financing transactions, including:

- Syndicated and bilateral term and revolving credit facilities
- Acquisition financings
- Asset-based and cash flow financings
- Capital call subscription credit facilities
- Working capital facilities
- First and second lien financings
- Subordinated debt facilities
- Unitranche and mezzanine financings
- Recapitalization and other leveraged financings
- Real estate financings
- Letter of credit facilities

EXPERIENCE

- > Represented Aceto Corporation (NASDAQ:ACET) in its \$462 million acquisition of the generic drug-related assets of Citron Pharma LLC and its affiliate, Lucid Pharma LLC.
- > Represented the U.S. Bank National Association as administrative agent in connection with a \$180 million senior secured term loan facility to Basic Energy Services Inc.
- > Represented Pamplona Capital Management LLP and Beacon Rail Leasing in the sale of Beacon Rail to institutional investors advised by JPMorgan Asset Management.
- > Represented the U.S. Bank National Association as administrative agent in connection with a \$450 million senior secured term loan facility to Essar Steel Minnesota LLC.
- > Represented Pamplona Capital Management LLP - backed Beacon Rail Leasing Inc. in its acquisition of Ascendos Rail Leasing Sarl.
- > Represented Moelis Capital Partners in its investment in Flexible Architecture and Simplified Technology (FAST), a leading provider of core software solutions to the life insurance industry.
- > Represented Tiger Infrastructure Partners in connection with its acquisition of Hudson Fiber Network, a premier data transport provider for financial, carrier, and enterprise clients.
- > Represented Pernix Therapeutics in its acquisition of the Zohydro ER® Franchise from Zogenix.
- > Represented Moelis Capital Partners in its acquisition of Insurance Technologies, a provider of software and technology-enabled sales automation platforms to insurance and financial services companies.
- > Represented American Achievement Corporation, a portfolio company of Fenway Partners and a leading yearbook and affinity company, in its private placement of \$467 million aggregate principal amount of new revolving credit facility, first lien term loan, senior subordinated notes and preferred stock.
- > Represented Tower International Inc. (NYSE: TOWR) and its subsidiaries in a \$561.5 million refinancing consisting of a \$361.5 million term loan facility agented by Citibank N.A. and a \$200 million revolving credit facility agented by JPMorgan Chase Bank N.A.

HONORS & AWARDS

> **Super Lawyers: Rising Star (2015)**

NEWS & INSIGHTS

Publications

> March 27, 2020

"Emergency Relief Legislation for Businesses and Individuals: CARES Act-Loan Programs," *Debt Financing Client Alert*

Lowell A. Citron, Michael A. Buxbaum, Marc S. Kurzweil, Theodore C. Sica, Kimberly E. Lomot, Bryan D. LaPlant,

> March 2019

"Trade Creditor's Risk-Mitigation Tools and Remedies Manual," *American Bankruptcy Institute*

Bruce S. Nathan, Scott Cargill, Eric Chafetz, Lowell A. Citron, Theodore C. Sica, Marc S. Kurzweil

In the Media

> November 5-10, 2020

Lowenstein's representation of longtime client **InSite Wireless Group, LLC** in its definitive agreement to be acquired by **American Tower Corporation** (NYSE: AMT) is noted in **StreetInsider.com**, **The Deal**, **Reuters** (November 5, 2020: 1; November 5, 2020: 2), **Westlaw Today**, **Law360** (November 5, 2020; November 6, 2020), **citybizlist**, **Netscape**, the **Global Legal Chronicle**, **ICLG**, and **Business Wire**. Lowenstein has represented InSite on a number of transactions, most recently in its **acquisition of Repeater Communications Group, LLC**. The Lowenstein deal team included **Michael A. Brosse, Eugene R. Cheval, Traci M. Tomaselli, Eric Swartz, Sabrina Cua, Timothy J. Nichols, Michael Walutes, Megan Monson, Darren Goodman, Jeffrey Blumenfeld, Lowell A. Citron, Marc S. Kurzweil, Andrew E. Graw, Nicholas G. Mehler, Jeffrey M. Shapiro, Julie Levinson Werner, Norman Spindel, Jack Sidorov, and Matthew P. Hintz. View Lowenstein's news announcement about this transaction.**

> September 4, 2020

Lowenstein's representation of **Traub Capital**, an investment firm specializing in building value in consumer companies using its unique combination of strategic, operational, and financial expertise, in the company's purchase of MANA Products, a premier beauty contract manufacturer based in Long Island City, New York, is noted in the **Global Legal Chronicle**. The Lowenstein deal team included **Michael A. Brosse, Lauren M. Troeller, Lowell A. Citron, Doreen M. Edelman, Darren Goodman, Ted Hunter, Marc S. Kurzweil, Gavin J. Rooney, Jeffrey M. Shapiro, Michael Walutes, James C. Shehan, Norman W. Spindel, Daniel A. Suckerman, David Toma, Stuart S. Yusem, Abbey E. Baker, Eric Jesse, Stacey C. Tyler, Naomi D. Barrowclough, Matthew P. Hintz, Manali Joglekar, Kimberly E. Lomot, Kathleen A. McGee, Megan Monson, Zachary L. Berliner, Christian C. Contardo, Mark S. Heinzelmann, Amanda C. Lutick, Michael T. Melchiorre, Joshua A. Rabinovits, Stephen Tanico, Jenna-Marie Tracy, Joseph Mignone, and Keith Janowitz. View Lowenstein's news announcement about this transaction.**

> December 4-6, 2019

Lowenstein's representation of **NexPhase Capital, LP** in its agreement to sell Flexible Architecture & Simplified Technology, LLC, to Verisk Analytics, Inc., is noted in **Cision PR Newswire, Law360, Bloomberg Law – Big Law Business, TMCNet.com**, and the **Global Legal Chronicle. Law360** specifically mentions **Christopher C. Henry, Michael Walutes, and Kimber Hargrove**. The Lowenstein deal team included **Christopher C. Henry, Zarema A Jaramillo, Marc S Kurzweil, Jack Sidorov, Michael Walutes, Julie Levinson Werner, Bianca V. Barraza, Bettina C. Elstroth, Katie R. Glynn, Kimber Hargrove, Amanda C. Lutick, Stefanie Manna, and Megan Monson. (subscription required to access certain content) View Lowenstein's news announcement about this transaction.**

> January 2-7; May 8, 2019

Lowenstein's 2019 promotion of seven lawyers to partner and six to counsel (including three women in each category) is noted in **Bloomberg Law – Big Law Business**. These promotions are also highlighted in **LawFuel, The Deal**, and the Commerce and Industry Association of New Jersey's (CIANJ) **Business Beat** newsletter, with **Lesley P. Adamo, Dmitry Andreev, Marc S. Kurzweil, James B. O'Grady, Eileen Overbaugh, Peter Slocum, and Julie Levinson Werner** highlighted as newly elected partners and **Brandon Fierro, Joseph G. Jones, Robert Lynn, Brianne Perlman, Nedda N. Salehi, and Leah Satlin** listed as promoted to counsel. **Gary M. Wingens** is quoted regarding the critical role these lawyers will play in the firm's continued success. **Law360** notes our partner elevations in an article highlighting firms' Q1 promotions. *(subscription required to access certain content)* **View Lowenstein's news announcement about these promotions.**

> May 30-June 1; September 4-7, 2018

Capacity Media, The PE Hub Network, Fiber Optics Online, TMCNet.com, PR Newswire (May 30, 2018; September 4, 2018), and **TeleGeography** note Lowenstein Sandler's representation of Hudson Fiber Network, portfolio company of Tiger Infrastructure Partners, in its all-cash merger agreement with ExteNet Systems, Inc. (Lowenstein deal team: **Michael A. Brosse, Eric Swartz, Justin Gindi, David Leit, Michael Walutes, Megan Monson, Darren Goodman, Alexandra S. Droz, Eric Jesse, Lesley P. Adamo, and Marc S. Kurzweil.**)

> July 30, 2018

The PE Hub Network and **Mergers & Acquisitions** note Lowenstein Sandler as counsel to **NexPhase Capital, LP** in its equity stake investment in **Brandt Information Services, LLC.**

> May 30, 2018

Cosmetics Technology and **Business Wire** note Lowenstein Sandler as legal counsel to **New Mountain Capital** and portfolio company **Topix Pharmaceuticals, Inc.**, in their acquisition of **DERMA E**. (Lowenstein deal team: **Marita A. Makinen, David L. Goret, Matt Savare, Michael Walutes, Darren Goodman, Eric Jesse, Manali Joglekar, Marc S. Kurzweil, Kimberly E. Lomot, Justin Gindi, Tim Janas, Megan Monson, Leah Satlin, and Jacob D. Unger.**)

EDUCATION

- > Fordham University School of Law (LL.M 2006), Staff Member, *Journal of Corporate and Financial Law*
- > New York Law School (J.D. 2005), Staff Editor, *Media Law and Policy Journal*
- > The George Washington University (B.B.A. 2002), Dean's List

ADMISSIONS

- > New York
- > New Jersey