Contact

David Fenwick

Partner

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David Fenwick is a partner in the Latin America Group, where he focuses on international finance and other cross-border matters.

David represents underwriters, issuers and credit enhancers on international debt, securitization, equity and equity-related offerings, arrangers and borrowers on international loan facilities and infrastructure finance projects, and debtors and creditors on balance sheet management and debt restructuring transactions. In addition, he represents international investors in their Latin American transactions and Brazilian investors in their transactions abroad. He acted as lead advisor to BNDES, the Brazilian development bank, on its U.S.$1 billion Mandatory Exchange Offer, named "Deal of the Year" for 2008 in several categories by various international finance and legal publications.

Matters

Some of the transactions in which David has participated include the representation of:

- Pacific Rubiales Energy Corp., the leading Latin American independent oil and gas producer, on the establishment of a $1 billion senior unsecured revolving credit facility, as well as a $250 million senior unsecured term loan facility
- Cerveceria Costa Rica S.A., the major Costa Rican brewer, on a $210 million term facility and $25 million revolving credit facility to finance the acquisition of North American Breweries Holdings, LLC
- Iochpe Maxion S.A. on a $600 million term facility to finance the acquisition of Hayes Lemmerz so as to create the world's largest wheels manufacturer
- Iusacell Celular S.A. de C.V.,, a major Mexican telecommunications company owned by Televisa and Grupo Salinas (acquired in January 2015 by AT&T), in connection with a $152 million financings by China Exim to finance the build out of a 3G network in Mexico
- Banco Itaú Unibanco S.A., a leading Brazilian commercial and investment bank in the establishment of a $1.9 billion credit facility provided by a group of 27 financial institutions
- Banco BTG Pactual S.A.. a leading Brazilian wholesale and investment bank in the establishment of a $5 billion Medium Term Note Program for the issue of fixed rate notes, floating rate notes, zero coupon notes, dual currency notes, amortized notes and straight-forward derivative obligations that do not involve physical settlement in the international market
- Banco BTG Pactual S.A.. in the establishment of a $5 billion Structured Note Program for the issue of credit-related and other complex derivative obligations that may involve physical settlement
- Banco BTG Pactual S.A.. in the establishment of a $3 billion Certificate of Depost Program
- Banco ABC Brasil SA, a leading Brazilian wholesale and investment bank and a subsidiary of Arab Banking Corporation, in its issuance of $300 million subordinated notes
- Banco Daycoval SA on the restructuring of its $1 billion Medium Term Note Program and the issuance of $300 million notes
- Banco Votorantim, one of Brazil's largest wholesale and investment banks, on:
    - a tier 2 regulatory capital issue of 10-year subordinated bonds in the amount of $750 million
    - a follow-up issue of three-year senior bonds in the amount of $500 million, issued through the bank's $3 billion Global Medium Term Note Program
- A syndicate of Brazilian and international financial institutions as arrangers and lenders in the simultaneous $328 million financing of the drillship Hoa and the $147 million refinancing of the drillship Lancer by the Schahin Group
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BNDES (Banco Nacional de Desenvolvimento Econômico e Social), the Brazilian development bank, in its issuance of $1 billion in exchangeable bonds

- Banco Itaú S.A. and Itau Bank, Ltd. in the establishment of a $5 billion Structured Note Program for the issue of credit-related and other complex derivative obligations that may involve physical settlement
- Banco Itaú S.A. in the establishment of a $2 billion Global Medium Term Note Program for the issue of fixed rate notes, floating rate notes, zero coupon notes, dual currency notes, amortized notes and straight-forward derivative obligations that do not involve physical settlement
- China Development Bank in its $750 million loan to BNDES to finance the GASENE – Gas Pipeline Project (Brazil Southeast-Northeast Gas Pipeline), a key initiative of the Brazilian government to transport gas from the south of the country to the northeast of Brazil and considered to be the most important energy project to be undertaken in Brazil in many years
- Banco Votorantim S.A., acting through its Nassau branch as issuer, and BNP Paribas, as solicitation agent, in the completion of 175 simultaneous consent solicitations in relation to outstanding series of notes, valued at $4 billion, under Banco Votorantim S.A.'s Global Medium Term Note Program and Euro Medium Term Note Program

Practices

Borrower Finance, Financial Restructuring and Special Situations, Fund Finance, Private Credit, Structured Credit, Syndicated Leveraged Finance and Capital Markets, Global Finance, Restructuring, Capital Markets, Mergers & Acquisitions, Corporate/Transactional, Private Equity Transactions, Private Credit Restructuring

Industries

Asset Management, Private Capital, Private Equity

Education

University of Virginia Law School, LL.M.
University of Manitoba, LL.B.

Admissions & Qualifications

Brazil

New York

Admitted as a solicitor in England and Wales

Court Admissions

Supreme Court of England & Wales

Awards & Recognition

Chambers Latin America: Banking & Finance 2013-2021

Chambers Latin America: Banking & Finance: International: Brazil 2011-2020

Chambers Latin America: Capital Markets 2009-2019

Chambers Latin America: Capital Markets: International: Brazil 2009-2018

Chambers Latin America: Projects 2013-2014

Chambers Global: Latin America-wide: Banking & Finance 2013-2021

Chambers Global: Latin America-wide: Capital Markets 2012-2019

Chambers Global: Brazil: Banking & Finance: International 2017-2020, 2023-2025

Chambers Global: Brazil: Capital Markets: International 2017-2019

Chambers Global: Brazil: Corporate: International 2012-2014

Chambers Global: Brazil: Projects (Foreign Desks) 2012

Chambers Global: Latin America: Projects 2013-2014

Chambers Global Brazil: Corporate: International Counsel 2012

The Legal 500 Latin America: Banking & Finance: International Firms 2012-2025

The Legal 500 Latin America: Capital Markets: International Firms 2012-2020, 2025

The Legal 500 United States: Finance: Capital Markets: Global Offerings 2014

Best Lawyers in Brazil 2015-2025

Leader, IFLR Capital Markets Team of the Year for the Americas Region 2008

Lead Advisor, IFLR Capital Markets Transaction of the Year 2008

Lead Advisor on Latin Finance Quasi-Sovereign Debt Transaction of the Year 2008

Lead Advisor on Latin Finance Financial Institution Debt Transaction of the Year 2008

Languages

Portuguese, English