

Environmental Transactions

Overview

Environmental issues can play a pivotal role in real estate and corporate acquisitions and dispositions, public and private financings, mergers and acquisitions and asset-based financing. The manner in which a potential environmental risk is evaluated and addressed can have material financial consequences for the parties involved. At Munsch Hardt, our team has a collective command of the critical finance, land use, real estate, energy and transactional concerns that come into play. Whether functioning as counsel to the client directly or as counsel for the transactional attorneys and advisors, we bring our unique blend of transactional, regulatory and litigation expertise to bear on environmental concerns.

When it comes to representing buyers, sellers, investors or lenders, our Firm's role, in the transactional context, is two-fold. We assist clients in identifying and evaluating potential environmental liabilities and risks, such as remedial and tort liabilities and operating requirements and restrictions, and then we help develop and implement a strategy for categorizing, managing and resolving those risks. A key component of our practice focuses on contract drafting and negotiation. Our team assists in drafting environmental provisions in a full range of agreements, including due diligence requests, purchase and sale agreements, environmental covenants for loan and financing agreements, indemnities, post-closing remediation and remediation agreements, access or license agreements to perform or implement investigations or remediation.

Additionally, our experience and depth of knowledge with environmental regulatory programs, and our regular contact with local, state and federal regulatory agencies, enables us to craft creative, realistic solutions. By implementing custom legal solutions to address environmental exposure, we have protected our clients' interests, while successfully closing hundreds of deals involving properties with environmental issues.

Experience

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