



## Educational Institutions

### Overview

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Tucker Ellis has a long history of representing educational institutions in a myriad of complex and sophisticated matters. Large public and private colleges and universities, charter schools, and high schools alike, our team is regularly called upon to serve as their trusted advisors. Through years of partnering and aligning our interests with those of our clients, our lawyers have developed a firsthand appreciation and understanding of the scope of legal challenges educational institutions face. Our experienced lawyers provide a full range of services from general counseling to transactional work to defending against high-exposure litigation.

We understand that the legal issues confronted by educational institutions are diverse and varied. Tucker Ellis partners with each client to customize seamless, effective teams across multiple legal disciplines. Problem solvers, our lawyers are adept at developing innovative and creative legal approaches to novel issues. At Tucker Ellis, we are laser-focused on delivering efficient and narrowly tailored legal services that meet the specific goals and objectives of each and every institution we represent.

### LITIGATION

Our trial lawyers represent colleges and universities in class action and multidistrict litigation in jurisdictions throughout the United States. Our teams have litigated significant matters for educational institutions involving complex tort claims, employment, contract, construction, affirmative action, false advertising/marketing, defamation, and environmental claims.

### TRANSACTIONAL

On the business side, our team assists educational institutions with general counseling along with a full scope of transactions. Our corporate attorneys have significant experience in documenting complex deals, including structuring and negotiating mergers, acquisitions, investments, and joint ventures and drafting, reviewing, and revising contracts. Our lawyers counsel educational institutions on governance, employment, and tax matters. For more than three decades, our public finance team has served as bond counsel, borrower's counsel, and underwriter's counsel for dozens of college and university financings and numerous financings for private high schools. Finally, our intellectual property attorneys advise some of the most technologically advanced educational institutions operating today to make the most of their technology, research, and IP investments.

### ALTERNATIVE FEE ARRANGEMENTS

A leader in AFAs, Tucker Ellis provides a wide array of creative and flexible pricing arrangements to fit within our clients' budgets.

## AREAS OF EMPHASIS

- Litigation
- Appellate
- Governance
- General Counsel
- Employment
- Joint Ventures
- Mergers & Acquisitions
- Public Finance / Project Finance / Capital Lending
- Restructuring
- Contracts
- Tax
- Technology Transfer

## Experience

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- Represent colleges and universities as lead trial and coordinating counsel in federal class action lawsuits pending in multidistrict litigation and in state claims asserting that the NCAA and its respective schools failed to protect student-athletes from sports-related concussion injuries
- Represent a liberal arts college as appellate counsel in an appeal from a large defamation verdict
- Serve as outside general counsel for a diverse array of private educational institutions providing a full range of legal services, including legal guidance on governance, employment, drug testing, investigation, contract, litigation, and risk management matters
- Serve as chair of the Governance Committee of a university board of trustees; revised and updated trustee governing documents
- Serve as bond counsel, borrower's counsel, and tax/financing counsel for public and private universities in all types of financing transactions, including tax-exempt bond financing, project finance transactions, capital lease transactions, and bank lending transactions
- Represented a private university providing architecture for IP processes, including the management of invention disclosures, research agreements, license agreements, committee decisions, and budgeting for IP protection
- Represented early stage companies in negotiating intellectual property license agreements and managing licensed patent portfolios with significant university tech transfer offices

- Represented colleges, universities, and medical systems in technology transfer to develop, protect, and bring their innovations to market
- Represented public universities and colleges in complex energy conservation project financings through an Ohio Air Quality Development Authority Program
- Represented a private college borrower in debt restructuring and bank workout negotiations
- Represented a public university with respect to post-closing issues arising under a parking concession transaction
- Represented a university and an international educational corporation in a class action lawsuit brought by doctoral students claiming false advertising and marketing and seeking tuition refund
- Represented public universities in innovative housing development projects
- Advised a large public university on the impact of 2017 tax law changes
- Advised a public university in the restructuring of its service provider RFP process in compliance with state and federal regulations
- Represented public universities in a variety of contract negotiations, including contracts involving sports facility leases, parking concessions, food and dining services, campus-wide pouring rights, and media and marketing rights
- Represented community colleges in numerous financing transactions, employment litigation and counseling matters, and an environmental cleanup matter, including a response to an EPA investigation