SpencerFane®

Mark D. Berman

Of Counsel

Contact

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Overview

Mark Berman guides public and private companies through complex securities, corporate governance, and transactional matters to help them navigate regulatory requirements, execute strategic initiatives, and position their businesses for long-term growth and success.

Drawing on approximately 30 years of experience as both in-house and outside counsel, Mark advises businesses on a broad range of corporate and securities law issues. His practice includes public and private securities offerings, private investment in public equity (PIPE) transactions, securities compliance, corporate governance, executive compensation matters, and ongoing public company reporting obligations. Clients rely on his practical guidance to address complex regulatory requirements while supporting their business goals.

A significant portion of Mark's practice focuses on mergers and acquisitions and other strategic transactions. He represents public and private companies in a variety of corporate matters, helping clients evaluate opportunities, structure transactions, and manage legal and business risk throughout the process.

Mark regularly advises boards of directors and management teams on governance, disclosure, and compliance matters. His experience serving companies in industries like energy and construction enables him to provide business-focused counsel tailored to the unique challenges facing each organization.

Education

- University of Utah S.J. Quinney College of Law, 1981 (J.D.)
- University of California, Santa Cruz, 1978 (A.B.), *cum laude*

Bar Admissions

- District of Columbia (inactive), 1987

Community Involvement

- Tulsa Metropolitan Ministry, Board of Directors; Policy Governance Officer
- Temple Israel Tulsa, Board of Trustees, Former Member; Executive Committee, Former Member

Distinctions

- *Best Lawyers in America*, 2015-2027
    - Lawyer of the Year, Business Organization Law, 2016, 2024; Mergers & Acquisition Law, 2020
- *Oklahoma Super Lawyer*
- *Journal Record*, Leadership in Law Award, 2009

Memberships

- Oklahoma Bar Association
- Tulsa County Bar Association, Corporate Section, Former Chair

Related Experience

- Represented a Board of Directors' Conflicts Committee in a master limited partnership drop down transaction.
- Represented a Tulsa-based NASDAQ-listed public company in multiple acquisitions, including purchase of assets of U.S. and Canadian operations from Norwegian public company.
- Represented a privately held client company in disposition through cash for stock merger with a publicly held acquirer in a transaction having a value in excess of $340 million.
- Represented a NYSE utility holding company in underwritten public offering of $131 million of common stock, executed as a forward sale transaction.
- Represented a NYSE global contractor specializing in energy infrastructure in public offering of $268.8 million of common stock.
- Represented a NYSE utility holding company in public offering of $200 million of senior notes.
- Represented an electric utility in public offering of $180 of first mortgage bonds.
- Represented an electric utility in private placement of $110 million of first mortgage bonds.
- Represented a NYSE global contractor in offering of $84 million in convertible senior notes in a PIPE transaction.
- Represented a NYSE global contractor in Rule 144A offering of $70 million of convertible senior notes.