



# National Association of Bond Lawyers

## Biographies of the 2009-2010 Board of Directors



PRESIDENT

**KATHLEEN CRUM MCKINNEY**

Kathy is a shareholder with Haynsworth Sinkler Boyd, P.A., in Greenville, South Carolina where her practice involves serving as bond counsel and underwriter's counsel in tax-exempt financings for 501(c)(3) healthcare, education and cultural organizations and governmental hospitals.

In addition to serving as the 2004 Chair of the Bond Attorneys' Workshop, 2005 Chair of the NABL Municipal Law Group and previously serving on the NABL Board of Directors, Kathy has also participated in the Fundamentals of Municipal Bond Law faculty and the Steering Committee for the Bond Attorneys' Workshop. As a member of the NABL Executive Committee, Kathy has served as Secretary and currently serves as Treasurer.

Kathy is listed in *The Best Lawyers in America – Public Finance* (2006, 2007, 2008), Chambers USA (2006, 2007) and is a member of the Society of International Business Fellows. Outside her bond practice, Kathy currently serves as Chair of the Furman University Board of Trustees, is an alumnus of Leadership South Carolina and member of the Advisory Board of Leadership South Carolina, Treasurer of the Metro Board of the Greenville YMCA, and is a Past President of the Historic Greenville Foundation, the South Carolina Children's Theatre and the YWCA of Greenville. She is a founder of the Upstate South Carolina Alliance, a 10 county regional economic development public/private partnership.

Kathy graduated from the University of South Carolina (summa cum laude) in 1975, Phi Beta Kappa and received her J.D. from the University of South Carolina School of Law (cum laude) in 1978, where she was Executive Editor of the *South Carolina Law Review*.

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The National Association of Bond Lawyers (NABL) exists to promote the integrity of the municipal market by advancing the understanding of and compliance with the law affecting public finance. A professional association incorporated in 1979, NABL has approximately 3,000 members and is headquartered in Chicago. For more information, visit [www.nabl.org](http://www.nabl.org).

## Biographies of the 2009-2010 NABL Board of Directors



### PRESIDENT-ELECT JOHN M. MCNALLY

John is a partner with Hawkins Delafield & Wood LLP in Washington, D.C., where his practice includes both a securities law practice and a public finance transactional practice. His transactional practice includes bond counsel, underwriter's counsel, and disclosure counsel work. John began his career as a staff attorney in the Securities and Exchange Commission's Division of Market Regulation.

In addition to serving on the NABL Board of Directors, John has been Chair of the Securities Law and Disclosure Committee as well as conference chair, moderator, and panelist at various NABL conferences, and served at Chair of the Enforcement Subcommittee. He has also served on the *Federal Securities Laws of Municipal Bonds Deskbook* and *The Bond Lawyer*® editorial boards. In 1997, his contribution to *The Bond Lawyer*® was recognized with the Carlson Prize, an annual award presented by NABL to the author of the best scholarly article submitted to the quarterly journal.

John graduated from the University of Pennsylvania in 1973 and earned his J.D. at Georgetown University Law Center in 1976.



### TREASURER KRISTIN H.R. FRANCESCHI

Kristin is a partner in DLA Piper LLP (US) in Baltimore, Maryland. She concentrates her practice in corporate debt offerings and tax-exempt financing, including federal income tax aspects of municipal finance. She represents a wide variety of municipal market participants, including issuers, credit enhancers, insurers, conduit borrowers and purchasers of tax-exempt obligations in connection with a wide range of projects including health care projects, tax increment financings, multi-family housing and general municipal projects.

In addition to serving on the NABL Board of Directors, Kristin has served as the Chair of the NABL Tax Committee, 2003 Chair of the Bond Attorneys' Workshop, Chair of the NABL Opinions Committee, and Editor-in-Chief of the 1999 edition of *Federal Taxation of Municipal Bonds*, as well as moderator and panelist at various NABL conferences.

Kristin is an active member of the American Bar Association's Section on Taxation and its Tax-Exempt Financing Committee.

Kristin graduated from Johns Hopkins University in 1981, earned her J.D./M.B.A. from Stanford University in 1985.

## Biographies of the 2009-2010 NABL Board of Directors



### SECRETARY SCOTT R. LILIENTHAL

Scott is a partner in the tax group at Hogan & Hartson LLP in Washington, D.C., where he has provided tax advice in connection with financings for numerous state and local governments and various types of special purpose authorities and districts, as well as advising a number of states in connection with their qualified tuition programs. His practice involves all areas of tax law, with a special emphasis on public finance, and it also includes advising corporations and partnerships in connection with various forms of debt financings, including structured finance transactions such as securitizations and mortgage backed securities issues. He has also represented clients before the Internal Revenue Service (IRS) in connection with audits and requests for advance rulings. Prior to joining Hogan & Hartson, Scott served for three years as an Attorney Advisor with the Office of Assistant Chief Counsel (Financial Institutions and Products) for the IRS in Washington, D.C.

Scott has been an active member of NABL, most recently serving as 2008 Chair of the NABL Tax Committee and member of the Board of Directors from 2004 to 2007. He has also been vice-chair and chair of the NABL Education Committee, a member of the Editorial Board of *The Bond Lawyer*®, vice-chair and chair of the NABL Washington Seminar, and a frequent faculty member at NABL's Fundamentals Seminar, Tax and Securities Law Institute, Washington Seminar, and Tax Seminar.

Scott graduated from the University of Colorado in 1983 and earned his J.D. (with honors) at the University of Maryland School of Law in 1987, where he was an editor of the *Maryland Law Review* and a member of the Order of the Coif.



### IMMEDIATE PAST PRESIDENT WILLIAM A. HOLBY

Bill is a partner with King & Spalding's Finance Practice Group, in Atlanta, Georgia, focusing particularly on municipal finance transactions. He regularly represents governmental issuers, as well as for-profit and non-profit organizations, with their tax-exempt financing needs. Within the State of Georgia he represents cities and counties with the full range of their financing needs, and also works actively with state and local governments in connection with the negotiation of economic development incentive proposals and related financing requirements. Bill serves as Bond Counsel throughout the country on behalf of clients that access the municipal market to finance transportation and environmental projects, and represents numerous non-profit clients such as secondary schools, colleges and universities, and charitable service providers. A portion of Bill's practice is focused on the representation of financial institutions that provide credit and liquidity facilities that support tax-exempt obligations.

Bill has been a member of the Board of Directors of the National Association of Bond Lawyers since 2002, and currently serves as President. He has served as a member of the Steering Committee for the annual Bond Attorneys' Workshop and is a frequent faculty member at NABL seminars, speaking on topics relating to exempt facilities financings, tax due diligence and documentation procedures, credit enhancement, and structured finance transactions. He also speaks regularly to public officials throughout the State of Georgia on a broad range of topics through the University of Georgia's Fanning Institute. Bill was inducted into the American College of Bond Counsel in 2000, and was included in the 2008 edition of both *The Best Lawyers in America* and *Georgia Super Lawyers*.

An honors graduate of Vanderbilt University in 1976, Bill received his law degree from Vanderbilt School of Law in 1979, where he served on the editorial board of the *Vanderbilt Law Review*.

## Biographies of the 2009-2010 NABL Board of Directors



**KENNETH R. ARTIN**

Ken is a Partner with Bryant Miller Olive and has been actively practicing public finance law beginning since 1986. He has represented municipalities, counties, school districts and special taxing districts as disclosure counsel, bond counsel and special tax counsel. He has experience with both general obligations, backed by the full faith and credit of the political subdivision, and with revenue obligations including lease-purchase financings.

Ken is a regular panelist, along with members of the Securities Exchange Commission staff, at NABL's annual conference in Chicago on the topic of legal issues related to the adequacy and fairness of disclosure for initial public offerings of tax-exempt financings. He took an active role in the NABL response to the Securities Exchange Commission's initial release of Rule 15c2-12 and the recent NABL response to the US Treasury's proposed revisions to Circular 230. Mr. Artin is listed in the Municipal Bond Attorneys' section of The Bond Buyer's Municipal Marketplace.

He graduated from the State University of New York at Buffalo's Law School in 1982 and from Southern Methodist University with an LL.M. in taxation in 1983. Mr. Artin is the Managing Shareholder of the firm's Orlando office.



**KIMBERLY C. BETTERTON**

Kimberly (Kim) Betterton is a Partner with McKennon Shelton & Henn LLP. Her practice focuses on federal tax laws and regulations pertaining to tax-exempt bonds, with particular emphasis on conduit 501(c)(3) financings, governmental bonds, private use questions, exempt facility qualification and financing, arbitrage, post-issuance compliance issues and hedging transactions.

Kim has participated in and led various educational panels concerning tax-exempt financing, including currently acting as Chairperson for the Tax Due Diligence and Documentation session at the Bond Attorneys' Workshop held in association with the National Association of Bond Lawyers and formerly acting as Co-Chairperson for The Basics of Municipal Interest Rate Swaps and Other Derivative Products session at the Bond Attorneys' Workshop.

Kim served on the 2006 Editorial Committee of Federal Taxation of Municipal Bonds by National Association of Bond Lawyers and published by LexisNexis.

She is a graduate of the College of William & Mary Law School (J.D. 1995); University of Pennsylvania (B.A. 1991).



**KIMBERLY A. CASEY**

Kimberly is a Partner in the Denver office of Kutak Rock LLP and focuses her practice on public finance. She routinely serves as bond counsel, special disclosure counsel and underwriter's counsel in a variety of municipal finance transactions including general obligation bond issuances, lease purchase transactions (certificated and direct leases), revenue-backed financings (secured by sales taxes, property taxes, tax increment, system revenues, intergovernmental revenue-sharing arrangements and public improvement fees), direct loans to governmental entities and credit-enhanced securities. Ms. Casey has been

an integral member of financing teams for hundreds of successful projects in Colorado. She is admitted to practice in Colorado.

Kimberly earned her J.D. from the University of Michigan Law School and her B.A. from the University of Colorado.



**BRENDA S. HORN**

Brenda is a partner at Ice Miller LLP in Indianapolis, Indiana, where her primary area of practice is municipal finance. Her practice covers a wide variety of tax exempt financing transactions, including: healthcare and other section 501(c)(3) financings, public infrastructure for State and local governments, privatization and derivative transactions. She is an author and frequent speaker on topics of health care, municipal finance, and federal tax law.

Brenda has served as a faculty member for the Bond Attorneys' Workshop and the Tax & Securities Law Institute, as well as a member of the NABL Nominating Committee and the Steering Committee for the Bond Attorneys' Workshop.

In addition to being a member of NABL, she is also a member of the American Bar Association, the Indianapolis Bar Association, the Indiana Municipal Lawyers Association, and the Healthcare Financial Management Association (Pressler Memorial Chapter). Brenda is a Founding Fellow, past president and member of the board of directors of the American College of Bond Counsel. Brenda has been listed in *The Best Lawyers in America* each year since 2001, and *Indiana Super Lawyers* each year since 2004. In addition, she has been recognized by the Indiana Lawyer as a Distinguished Barrister and by the *Indianapolis Business Journal* as one of the Influential Women in Indianapolis.

Brenda graduated from Indiana University, Bloomington, in 1971, earned her M.S. in mathematics from Purdue University in 1975, and received her J.D. from Indiana University School of Law (summa cum laude) in 1981.



**ANTONIO D. MARTINI**

Tony is a Partner with Edwards Angell Palmer & Dodge's public finance department, with a special emphasis on tax-exempt government facilities, private activity bond financings, advance refunding structures, municipal finance derivative structures and defense of IRS bond examinations. Tony also has experience in general federal corporate taxation and tax dispute work. He is a regular speaker and panelist on federal tax law issues at the National Association of Bond Lawyers' tax seminars and Bond Attorneys' Workshops, and served from 2002 to 2003 as Editor-in-Chief of NABL's treatise, *Federal Taxation of Municipal Bonds*. In addition, he served as Chair of NABL's 2008 Tax and Securities Law Institute. He was also named a "Rising Star" in the area of Bonds & Government Finance by the *Massachusetts Super Lawyers* publication.

Tony graduated from Columbia University School of Law, where he was also a member of the Columbia Law Review, 1989-1990, Notes Editor, 1990-1991, and a Stone Scholar. He completed his B.A. at Union College.



**CHARLES P. SHIMER**

Chuck is a partner in the finance practice group of Troutman Sanders LLP in Richmond, Virginia, and focuses his practice on public finance, privatization and securitization. He has served as bond counsel to Virginia State agencies, local governments and public authorities, and he represents issuers, underwriters, trustees, and borrowers in financings for governmental and educational facilities, as well as other private activity bond and student loan financings. His experience includes transactions under Virginia's Public-Private Transportation Act, privatizing the Virginia Education Loan Authority, financing and securitizing student loans, and representing corporate trustees.

Chuck previously served as Chair of NABL's Education Committee, was the 2006 Chair of the Bond Attorneys' Workshop, and was the 2003 Chair of the Fundamentals of Municipal Bond Law seminar. He is listed in *The Best Lawyers in America – Public Finance* (2006, 2007, 2008) and *Virginia Super Lawyers* (2006, 2007). Chuck is also a member of the Local Government Attorneys of Virginia, an alumnus of Leadership Metro Richmond, a past President of the Richmond-First Club, a co-founder of the Mathematics and Science Center Foundation, and chairman of the board of Voices for Virginia's Children, a state-wide advocacy organization for children's issues.

Chuck graduated from the College of William and Mary (with high honors) in 1978, earned his M.B.A. and his J.D. from Boston College (magna cum laude) in 1982, where he was Managing Editor of the *Boston College Law Review*.

## Biographies of the 2009-2010 NABL Board of Directors



**MICHAEL L. SPAIN**

Michael is a partner at Fulbright & Jaworski L.L.P. in San Antonio, Texas, where he practices in both the Public Finance and Administration and Health Law Departments.

In his public finance and administration practice, Michael serves as city attorney and as bond counsel, borrower's counsel, issuer's counsel and underwriter's counsel in financings for hospitals and other health care providers and in housing and industrial development financings, and in financings for special district issuers, State agencies, and other Texas political subdivisions. In his health law practice, Michael represents hospitals, physicians and other providers and health care entities in a wide variety of business and finance issues, including organizational matters, reimbursement and referral issues, and managed care contracting.

Michael was the 2008 Chair of the Bond Attorneys' Workshop and has been on the Steering Committee for the Bond Attorneys' Workshop in the early 1990s and more recently since 2003. In addition to serving on the NABL Board of Directors, Michael has served on the boards of directors of several Texas non-profit corporations, with a focus on health care and educational concerns.

Michael graduated from Vanderbilt University in 1969, earned his M.A. in History from the University of Texas in 1970, and received his J.D. from the University of Texas in 1979.



**EXECUTIVE DIRECTOR  
KENNETH J. LUURS**

Ken is NABL's Executive Director and has overseen the NABL National Office in Chicago since October 2000. Prior to NABL, Ken worked with the American Society of Clinical Pathologists where he oversaw the membership area for this 150,000 member organization. He was also Director of Member Retention for the American Bar Association where he directed the retention efforts such as member benefit programs and the ABA's dues collection efforts. At Bell & Howell, Ken worked in their education division where he conducted market research, technology forecasting and participated in strategic acquisitions.

Ken has served on the board of the Chicago Symphony Orchestra and is the immediate past-chair of the Association Forum, the earliest established group of professional association executives in the country. In previous years, Ken had chaired the Forum's Finance, Education and Special Interest Group Committees.

Ken graduated from the University of Illinois and has a M.B.A. from DePaul University.

DIRECTOR OF GOVERNMENTAL AFFAIRS

VICTORIA P. ROSTOW



Penny is the Director of Governmental Affairs for NABL in Washington, D.C., and has a range of experience in bank regulatory, legislative and policy matters in both the public and private sectors.

Prior to joining NABL, Penny served as Senior Vice President and Head of Federal Regulatory and Government Relations with Bank One Corporation/JP Morgan Chase from 2002 to 2005, where she planned, staffed and directed the creation of a government relations office. Prior to that, she was of Counsel at the firm of Gibson, Dunn & Crutcher and most recently was a Partner at Sonnenschein, Nath & Rosenthal.

Penny also served as Deputy Assistant Secretary for Banking and Domestic Finance and Legislative Affairs at the Department of the Treasury from 1995 to 1998 where she lead the Departments congressional efforts culminating the landmark Gramm-Leach-Bliley Act, and was a Partner with Powell Goldstein in D.C. prior to joining the Treasury Department . She has also been an Adjunct Professor of Law at Georgetown University Law Center, and has lectured at the Yale Law School and American University Law School.

Penny received a B.A. degree in history (magna cum laude) from Yale College, and earned a Master of Arts degree in Economics at King's College at Cambridge University. She received a J.D. degree from Yale Law School, where she was a Senior Editor of *The Yale Law Journal* and a Director of the Yale Legislative Services Program. Following law school, she clerked for The Honorable Stephen Reinhardt on the United States Court of Appeals for the 9th Circuit.



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