



Portfolio Media, Inc. | 648 Broadway, Suite 200 | New York, NY 10012 | www.law360.com
Phone: +1 212 537 6331 | Fax: +1 212 537 6371 | customerservice@portfoliomedia.com

Q&A With McGuireWoods' Don King

Law360, New York (September 15, 2009) -- Donald King is chair of the international department at McGuireWoods LLP, where he has practiced since 1976. His practice consists principally of international transactions with a focus on renewable energy development, project financing, mergers and acquisitions, and fiduciary obligations.

He is a member of the Virginia Bar and has been admitted to the Foreign Lawyers List of the Brussels Bar.

Q: What attracted you to your practice area?

A: It was not planned. Our firm needed me to go to Brussels in an emergency for a client that I knew well and had often worked for in the U.S. I ended up staying for 6 years and became an international lawyer.

Q: What is the most challenging matter you have worked on, and why?

A: Renegotiation of the purchase agreement for a large power plant in Central Asia. A well-known multinational company had purchased the power plant using a one-sided agreement that the selling government (after a change in administration) was no longer willing to honor (a common problem with unbalanced agreements extracted from developing countries by less than transparent means).

My job was to help the new government ministers negotiate a set of new agreements while my litigation partners were fending off a \$30 billion arbitration claim in London for breach of the original contract. Our clients were deathly afraid of the \$30 billion claim in far away London and were overwhelmed by the massive new agreements the buyer had presented to settle the dispute.

By using concrete examples, numerous clauses of the proposed new agreements were shown to be unfair and were successfully amended. After a few days of this, the government ministers gained confidence. The buyer's documents, each numbering over

100 pages, were replaced with agreements of about 20 pages each and a fair settlement was achieved.

Q: What are the most challenging legal problems currently facing clients in your practice area?

A: Achieving the reliability of the rule of law in the midst of political tension, disorder and economic distress so that proposed projects can be made bankable.

Q: How do you see your practice area evolving in the next five years?

A: The United States will regain a favorable image in the eyes of international parties, enabling greater success for American companies and lawyers in the development of international projects.

Q: Outside your own firm, name one lawyer who's impressed you and tell us why.

A: Diogo Perestrelo [of Gonçalves Pereira Castelo Branco & Associados] is a lawyer in Lisbon I met while working on a project in Eastern Europe. He is smart, practical, hard working and dedicated. He listens well and endorses solutions to problems that work for all parties involved regardless of who proposes them. He is also a delightful person.

Q: What advice would you give to a young lawyer interested in getting into your practice area?

A: Be a keen observer of people, a good listener, a clear speaker and a writer of simple prose. In transactions involving persons of multiple nationalities it is very important to understand what other people really mean and what truly concerns them. It is important that you be likewise understood.

It is also important that both oral communications and documents translate well and are easily understood not only in English but also in the other languages of the transaction. If you enjoy helping diverse people communicate well and understand each other in achieving important goals, being an international transaction lawyer will be very rewarding.