



Irwin A. Kushner

Partner Executive Chairman Co-Chair, Sports Law Group

ikishner@herrick.com

(212) 592-1435 PHONE

(212) 545-3400 FAX

Irwin Kushner is Herrick's Executive Chairman and a member of the firm's Corporate Department. He is also the past chair of the firm's Corporate Department, a role in which he served from January 1998 to January 2014.

Irwin concentrates his practice in general corporation law with an emphasis on sophisticated transactional work, including mergers and acquisitions, sports law, private equity, securities law, corporate restructurings and reorganizations, new media law, venture capital, joint venture, entertainment law, corporate finance and lending, intellectual property and licensing, employment law, equity and debt offerings and syndications in both the public and private context.

He has handled numerous mergers and acquisitions, both hostile and friendly, on behalf of acquirers, targets, and investment banks. The range of transactions includes proxy contests, joint ventures, self-tender offers, third party and spin-offs, taking public companies private, and other forms of corporate restructurings. Irwin's practice also includes advising financial institutions and investment advisors on regulatory issues, derivatives and other financial instruments, as well as private equity and venture capital funds and investors in onshore and offshore fund formation, and portfolio company acquisitions and sales. He has successfully structured, negotiated, supervised and closed many financing and capital raising transactions, including private placements, initial public offerings, PIPEs, hedge fund convertible security investments, secured and mezzanine loan facilities, project finance, workouts, reorganizations, equity and debt restructurings and negotiation of intercreditor relationships. Irwin has also represented clients in a number of high-profile senior executive employment and severance agreements and compensation packages as well as numerous corporations in the administration and establishment of employee compensation plans. Corporate boards and audit and special committees also turn to Irwin for advice on such matters as corporate governance and corporate restructurings.

He represents a number of professional sports franchises and has acted as primary counsel on several high profile team acquisitions and dispositions in all of the major sports leagues; cable television and radio contracts; internet and intellectual property rights; joint ventures; credit facilities; advertising and sponsorship contracts; gaming and wagering matters; development and naming rights agreements; franchise transfers and financings; major event and tournament promotions; and seat license agreements for stadiums and arenas. He has acted as lead counsel in all aspects of eleven major stadium transactions, most significantly the new Yankee Stadium, and also represents financial institutions and bond insurers in stadium finance matters and loans to teams and team owners.

Irwin's experience includes representation of the New York Yankees in their joint venture effort with Manchester City to create Major League Soccer's New York City Football Club (NYCFC), and the continuing representation of the Club across a range of transactions. He recently advised Legends Hospitality in the deal to develop and operate the observation deck

at the top of One World Trade Center, and was lead counsel to the New York Yankees and Yankee Global Enterprises in News Corp's 2012 acquisition of 49 percent of the Yankees Entertainment and Sports Network (YES), and 21st Century Fox's ensuing 2014 acquisition, which raised its ownership stake in YES to 80 percent.

Irwin's sports experience also includes the formation of two of the country's largest regional sports networks (YES and SNY), and the ongoing representation of both networks. He has also negotiated many significant television, radio and digital media rights agreements for NBA, MLB and MLS teams - including recent radio rights agreements for the Chicago Cubs, the New York Yankees and the NYFCF. Irwin has also advised on many high-profile sponsorship, marketing and advertising agreements for teams and their stadiums, including the new Yankee Stadium's agreements with corporations such as Toyota and AT&T, as well as sponsorship agreements for major sporting events, including Army Black Knight football games, the NCAA's New Era Pinstripe Bowl and world-championship boxing matches. Irwin provides general corporate and tax-related advice to the New York Racing Association (NYRA) in addition to his primary role as their Integrity Counsel.

Irwin advises clients in transactions throughout North America, South America, Europe (including Eastern Europe) and Asia. His clients are involved in a wide range of industries including sports, e-commerce, real estate, engineering, entertainment, manufacturing, franchise, retail, distribution, consumer products, natural resources, consulting, healthcare and other service businesses.

Irwin is ranked as a leading individual by *Chambers USA* for Sports Law Nationwide and in 2016 was recognized in the elite tier of *SportsBusiness Journal's* inaugural "Power Players: Outside Counsel" feature. He frequently lectures, and appears on television and radio, on such topics as M&A, private equity, venture capital, sports financing, structured premium finance and life settlements transactions, and executive compensation, among others. Before joining Herrick, Irwin was an associate in Shearman & Sterling's mergers and acquisitions department where he participated in several high-profile hostile tender offers and numerous public and privately negotiated divestitures and acquisitions.

Services

- Corporate
- Mergers & Acquisitions/Joint Ventures
- Commercial Finance and Lending
- Sports
- Private Equity
- Private Investment Funds
- Investment Management
- Capital Markets
- Restructuring & Business Divorce
- Technology Transactions & Licensing
- Venture Capital
- Employment
- Employment Counseling & Risk Management
- Executive Compensation, Benefits & ERISA
- Cybersecurity
- Insurance & Reinsurance
- Intellectual Property
- Real Estate

- Acquisitions & Sales
- Real Estate Finance
- Real Estate Joint Ventures
- Real Estate Restructuring & Foreclosures
- Turkey

Education

- Boston University School of Law (J.D., *magna cum laude*, 1987)
- Boston University Graduate School of Management (M.B.A, 1988)
- Tulane University (*magna cum laude*)
 - Phi Beta Kappa

Accolades



SportsBusiness Journal's "Power Players: Outside Counsel"

Memberships & Associations

- American Bar Association
- New York City Bar Association
- New York County Lawyers Association
- NHL Coaches' Association
 - Advisory Board
- TAGLaw®
 - Advisory Board
 - Co-Chair, Sports & Entertainment Specialty Group
 - Member, Best Practices & Firm Management Specialty Group
 - Member, Financial Institutions & Markets Specialty Group
 - Member, Corporate and M&A Specialty Group
- MEAG New York
 - Board of Directors and Secretary
- Sessions.edu
 - Board of Directors
 - Corporate Secretary
- The Sports Lawyers Association
- *Professional Sports and the Law*
 - Editorial Board