

Ann D. Fillingham

Member

Lansing

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Areas Of Practice

Business Services
Corporate Finance
Commercial Lending
Government Reorganization and Restructuring
Public Finance
Gaming & Indian Law
Long-Term & Post-Acute Care Providers
Health Care

Industries

Financial Industry Group
Commercial Lending
Education
Higher Education

Bar Admissions

Michigan, 1989

Education

University of Michigan, J.D., *cum laude*

Michigan State University, B.A.

- with high honors

Ann D. Fillingham serves as Dykema's Director of Regulated Industries. Her principal areas of practice include public and structured finance, infrastructure finance, and transactional work for financial institutions. In the public finance arena, Ms. Fillingham has served as bond counsel and underwriter's counsel to numerous state and local issuers. She has built a reputation for innovative and creative lawyering, serving as an integral part of many of her client's most important financial restructurings. She has worked extensively with the State of Michigan and its various departments and authorities with respect to both taxable and tax-exempt issues. In addition, she has served as bond counsel or underwriter's counsel on many county, municipal, school and local authority bond issues and many conduit transactions for acute care and continuing care facilities, and economic development projects. Ms. Fillingham is the President-Elect of the Board of Directors of the National Association of Bond Lawyers (NABL), regularly speaks at NABL conferences on matters related to public finance, is a past NABL Steering Committee member and is the past Chair of the NABL's Bond Attorneys' Workshop and its Municipal Law Committee.

In the corporate and finance arena, Ms. Fillingham also works extensively with financial institutions, structuring and documenting both taxable letter of credit enhanced debt offerings and commercial finance transactions. Her areas of practice include transactional negotiation and documentation, commercial lending and federal and state regulatory compliance work for lending institutions.

Representative Matters

Representative Transactions

- Bond counsel to the Michigan Finance Authority restructuring \$226 million of public debt of the School District of the City of Detroit, Michigan to match-fund new security cash flows, as part of a larger governmental restructuring.
- Underwriter's counsel for Barclays on the City of Detroit, Michigan \$606 million financing, publicly refunding prior City municipal obligations post-bankruptcy.
- Bond counsel to the Michigan State Building Authority on its 2011 \$648 million, 2013 \$583 million, 2015 \$989 million and 2016 \$665 million new money and refunding transactions, securing present value savings and allowing the Authority to consolidate all its \$2.9 billion of debt in a single bond indenture.

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- Bond counsel to the Michigan Finance Authority on a \$11 million tender and related \$16 million refunding and reoffering of the City of Allen Park, Michigan, allowing the City to restructure debt for a failed movie studio project which had been the basis for SEC investigations and cease and desist orders.
- Provider counsel in connection with an agreement with the Michigan Department of Transportation for freeway lighting as a design-build-finance-operate-maintain project.
- Counsel to Detroit Water and Sewerage Department on a \$5 billion voluntary open market tender solicitation and related \$1.79 billion refunding transaction capturing present value savings, avoiding a bankruptcy-related cram-down and obtaining consents necessary to implement the system transfer to the regional Great Lakes Water Authority.
- Underwriter's counsel on a \$185 million financing for a Public Lighting Authority street lighting project.
- Underwriter's counsel for Barclays on the City of Detroit, Michigan \$120 million post-petition financing, together with its \$275 million exit financing, consummated on date of City's exit from bankruptcy.
- Underwriter's counsel on a \$2.9 billion Michigan Finance Authority issuance of Unemployment Obligation Assessment Revenue Bonds, which enabled the State of Michigan to utilize the public markets to achieve savings and restructure a significant federal liability.
- Counsel to the Michigan Higher Education Student Loan Authority on its \$1.01 billion monetization of its student loan authority portfolio through a federally established finance conduit established following collapse of the auction rate securities market; also acted as bond counsel to the Authority in issuance of FRN and other related financings to secure long-term take-out funding of the interim facility.
- Bond Counsel to the Michigan Tobacco Securitization Finance Authority on \$202 million and \$523 million bond issues, securitizing Michigan tobacco related revenues to fund State projects.

Seminars & Speeches

Deal Gone Bad, NABL Workshop: Virtual 2020
September 23, 2020

Expanding Public-Private Partnerships for Michigan Infrastructure, Joint Meeting of Municipal Advisory Council of Michigan and The Bond Club of Detroit
December 4, 2019

Funding and Financing the Project, NCPPP Michigan P3Showcase Symposium
December 3, 2019

Issuing Bonds – The Rules, CDFA Summer School Conference
August 14, 2019

The Road Ahead: Municipal Securities Disclosure in an Evolving Market, U.S. Securities and Exchange Commission and the Office of Municipal Securities
December 6, 2018

Impact of Federal Tax Reform, LeadingAge Michigan Finance & Strategy Day
February 20, 2018

State and Local Governments: Pensions Lien Heavily on Bondholder Security, Citigroup Municipal High Yield Conference 2017
September 19, 2017

Municipal Bankruptcy: A Guide for Public Finance Attorneys, NABL Teleconference
November 12, 2015

NABL Keynote Session, Moderator
September 9, 2015

Statutory Liens in the Municipal Market, audio conference
July 20, 2015

Ann D. Fillingham (Cont.)

Delivery of Construction Projects Through P3s, The Illinois CPA Society Construction Industry Conference, Oakbrook Terrace, Illinois
October 30, 2014

Municipal Bankruptcy and the Anatomy of a Defaulted Lease, 2013 AGLF/ELFA Public Sector Finance Forum
May 9, 2013

Hot Topics in Tax Exempt Finance, LeadingAge Michigan
April 25, 2013

Sources of Local Financing, Michigan Association of Municipal Attorneys Local Government Attorney Academy
March 20, 2013

When a Bond Deal Goes Bad: Defaults, Remedies and Workouts in Municipal Finance, National Association of Bond Lawyers 11th Annual Tax & Securities Law Institute
March 2011, 2013

Economic Crisis-Driven Transactions: Tools for Dealing with Financially Distressed Issues and Bond Transactions, National Association of Bond Lawyers 2010, 2011, 2012 Bond Attorneys' Workshop

Anatomy of a Defaulted Deal, National Association of Bond Lawyers 2012 Bond Attorneys' Workshop
October 2012

When a Bond Deal Goes Bad: Defaults, Remedies and Workouts in Municipal Finance, National Association of Bond Lawyers 9th Annual Tax & Securities Law Institute
March 2011

Build America Bonds, National Association of Bond Lawyers 2009 Bond Attorneys' Workshop
October 2009

The Realities of the Credit Markets, The Center for Charter Schools Central Michigan University Back to School 2009: Transforming Public Education
September 2009

P3s—Other Constituents and Considerations, Inaugural Michigan P3 Summit
September 2008

Government and Tribal Obligations, National Association of Bond Lawyers 2008 Bond Attorneys' Workshop
September 17, 2008

Effective Financing Strategies, Charter School Board Leadership Summit 2008
May 2008

Avoiding Legal Trouble in Charter School Finance, 10th Annual Michigan Charter Public School Conference
November 2007

Government and Tribal Obligations, National Association of Bond Lawyers 2007 Bond Attorneys' Workshop
September 2007

State Policy—Changing the Way Schools are Financed Locally, Illinois Facilities Fund Financing the Future: Meeting the Needs of Charter Schools
February 2007

Publications

"Detroit and the Bankruptcy Education of a Bond Lawyer"
2015
The Bond Lawyer

"Municipal Bankruptcy: A Guide for Public Finance Attorneys (3rd Edition)" (Co-Author)
2015
National Association of Bond Lawyers

Ann D. Fillingham (Cont.)

"General Obligation Bonds: State Law, Bankruptcy and Disclosure Considerations"
2014

National Association of Bond Lawyers

"Michigan Municipal Law"

2012

The Institute of Continuing Legal Education

News

Ann D. Fillingham Named to *Michigan Lawyers Weekly's* 2019 Class of "Women in the Law"

July 19, 2019

115 Dykema Attorneys Listed in The Best Lawyers in America© 2017

August 15, 2016

Nineteen Dykema Attorneys Listed as "Top Women Lawyers" in *Hour Magazine*

March 17, 2016

Ross Altman and Ann Fillingham Present at the 2014 Construction Industry Conference

November 17, 2014

Ann Fillingham Named Chair of Bond Attorneys' Workshop

July 23, 2013

Eleven Dykema Attorneys Earn "Lawyer of the Year" Accolade from *The Best Lawyers in America 2013*

February 20, 2013

Dykema Attorneys Named Key ICLE Contributors in 2012

December 28, 2012

Fillingham to Lead Panel Discussion at National Association of Bond Lawyers Conference

October 22, 2012

Eleven Dykema Attorneys Named "Lawyers of the Year" by *Best Lawyers in America*

September 12, 2012

Memberships & Involvement

- American College of Bond Counsel, Regular Fellow
- Citizens Research Council
- Ingham County Bar Association
- State Bar of Michigan
- National Association of Bond Lawyers Board Member
- National Association of Bond Lawyers, Past Chair of the Annual Bond Attorneys' Workshop
- Government Finance Officers Association

Community/Civic Activities

- Michigan Women in Finance, Past President
- Michigan Bar Foundation, Fellow

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Awards & Recognition

- Named to the 2019 class of "Women in the Law" by *Michigan Lawyer's Weekly*
- Named a Lansing "Lawyer of the Year" for Public Finance Law by *Best Lawyers*® 2013
- Named a "Lawyer of the Year" for Corporate Law by *Best Lawyers*® 2012, 2017
- Part of the Dykema team that served as lead counsel to the syndicate of 14 investment banking firms that were underwriters on the transaction named *The Bond Buyer's* 2012 Deal of the Year
- Named by *Best Lawyers in America*® as Corporate Law "Lawyer of the Year," 2020
- Recognized in *The Best Lawyers in America*® for Corporate and Public Finance Law, 2007-Present. Copyright 2015 by Woodward/White, Inc., Aiken, SC
- Recognized in *Michigan Super Lawyers*® for Bonds/Government Finance and Business/Corporate, 2008-Present
- Named a Michigan Leading Lawyer in the area of Public Finance Law by the *Leading Lawyers Network*, 2014-2017. Law Bulletin Publishing Company