

Kimberly McGrath



Kimberly McGrath of Kirkland & Ellis has advised on multibillion-dollar deals, including private equity firms' purchase of data center real estate investment trust CyrusOne Inc. for about \$15 billion, earning her a spot among real estate attorneys under age 40 honored as Law360 Rising Stars.

Her biggest case so far:

In 2021, McGrath advised mall owner Washington Prime Group Inc. on Chapter 11 bankruptcy proceedings in Texas federal court over \$3.9 billion in debt.

Washington Prime Group, which owns 102 malls in the U.S., asked the court in June 2021 to approve a plan to swap \$721 million in unsecured notes for equity and pay down another \$190 million in debt.

In September, a Texas judge approved Washington Prime Group's \$911 million Chapter 11 plan after the company reached last-minute deals with parties objecting to alleged changes in the terms of the plan's equity swap and to the liability releases for its top executives.

"The sheer complexities of the deal and all of the moving parts made it one of the more challenging transactions in my career," McGrath said.

Her most recent work:

In November, private equity firms KKR and Global Infrastructure Partners announced they were teaming up to buy CyrusOne for approximately \$15 billion.

McGrath advised the buyers on the all-cash transaction in which they paid \$90.50 per share to take private CyrusOne. The purchase, which is the largest M&A deal in data center industry history, was completed in March.

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McGrath said working on this deal was interesting because she learned about the operations of data centers, which are a new asset class that have complex lease arrangements.

“Understanding these complicated leases and services agreements and how development works has been different than some of the typical asset classes that have been popular recently, such as industrial and self storage, which in a lot of instances are much more intuitive to understand, and we’ve all been working on those asset classes for a while,” she said.

Her proudest moment as an attorney:

McGrath’s proudest moment as an attorney so far has been helping KKR build its industrial and self-storage platforms from the ground up.

“[We have to think] very strategically with our client...and really [make] sure that we hold in several instances a one-of-a-kind product that truly works for them that we haven’t seen out in the market yet.”

In August, KKR announced that it was selling 149 office buildings in 12 U.S. cities, including Dallas, Atlanta, Phoenix, Chicago, Houston, Tampa, Orlando and San Diego, to real estate investor Oxford Properties for \$2.2 billion.

“We really got to see the full life span, which was really exciting because you could see what you built together as a team with one of our longstanding clients who I’ve worked with for years,” she said.

Why she’s a real estate attorney:

McGrath was first introduced to real estate work while interning for the legal department of retailer Finish Line Inc. during her first summer of law school.

During McGrath’s internship, she had the opportunity to work on a variety of legal matters, but gravitated toward the real estate industry and its business personalities.

“They were creative, always interested in thinking out of the box, and they were risk-takers,” McGrath said about the people she met in real estate.

What motivates her:

McGrath said that what motivates her to be a real estate attorney is the ability to work with clients who are market leaders.

We have to think “very strategically with our client and creatively and really [make] sure that we hold in several instances a one-of-a-kind product that truly works for them that we haven’t seen out in the market yet,” she said.

How the legal industry will change in the next 10 years:

McGrath said she sees the real estate legal practice becoming more specialized and law firms will focus more on technology and data collection.

“We will continue to look for new ways to collect and use data to get deals done extremely quickly and efficiently,” she said.

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