

TOM PLAKE

*Experienced General
Counsel, Business
Lawyer & Legal
Generalist*

✉ tplake@icloud.com

☎ (918) 520-7660

📍 Denver-Boulder-Fort Collins

🌐 <https://www.linkedin.com/in/tom-plake-43b8284/>

SKILLS

- Executive Leadership
- Leader Who Thrives Building Bench Strength
- EPC Contracting
- O&M Contracting
- Construction Contracting
- Site Services Contracting
- Real Estate & Site Acquisition
- Construction Claims, Back charges & Litigation
- Litigation & Claims Management
- Outside Counsel Management
- Legal Department Budgeting
- US & International Insurance Program Management
- Domestic & International Bonding, Bank Guarantees & Letters of Credit
- Credit Facilities & Finance

EPC, O&M & Construction Law

📅 1999 - current

- 23 years of experience as Counsel for both Owners and Vendors for large-scale Energy, Power, Renewable Energy (Ethanol & Biofuels) and Telecommunications construction projects in the US and Internationally.
- Experienced in full-range of Legal support for EPC, O&M, Engineered Equipment, Site Services/Construction, Turnkey Construction for Mega-Projects involving Power & Steam Generation, LNG, Marine & Offshore, Refining, Ammonia, Ethylene, Biofuels, Ethanol, Ethylene, and Exploration & Production.
- Counsel for major equipment and site service Vendor (**Zeeco**) for Renewable Energy projects such as (i) conversion of a North Dakota petroleum refinery to renewable biodiesel; (ii) conversion of petroleum refinery in California to the manufacturing of renewable fuels with reduction of greenhouse gas emissions by 60% and reduction of air pollutant emissions by 70%; (iii) construction of a new plant in Canada that will convert 200,000 tons of non-recyclable and wood waste into 33 million gallons of biofuel annually; (iv) construction in Europe for one of the largest commercial green hydrogen production facilities in the world; (v) waste-to-energy plant in the UK expected to power 50,000 homes.
- Represented major equipment and construction Vendors (**Zeeco** and **John Zink – Hamworthy**) for projects such as Qatargas LNG (Qatar), Freeport LNG (US), Sabine Pass LNG (US), Off-shore Platforms for Petrobras (Brazil) and BP (UK & US), Exxon-Mobil Refinery, Jurong Island (Singapore), Exxon Baytown Refinery (US), Ras Tanura Refinery (Saudi Arabia), BP Refinery, Texas City (US), TotalEnergies Refinery, Port Arthur (US), and many others.
- Lead Counsel for Construction and Real Estate for Fiber-Optic Telecommunications company (**WilTel**) for construction of 48,000+ mile network in US and with international cables to Europe, South America, and China, handling legal negotiations with State & Local governments, landowners, construction contractors, suppliers, etc.


Banking, Finance & Treasury

📅 2009 - current

- Represented Borrower for \$60mm Credit Facility supporting operations, letters of credit, and bank guarantees, including multiple amendments/restatements.
- Represented Borrower for \$90mm Credit Facility with accordion feature to \$140mm.


- Represented Borrower for backstopped Credit Facility for issuance of International Bank Guarantees.
- Represented Borrower for Project Financing for facilities in China and India.
- Represented Borrower for Credit Facility with the Reserve Bank of India for local operations and Bank Guarantees.
- Counsel for customer in banking relationships with Deutsche Bank, CitiBank, NatWest (UK), Bank of China, JPMorgan Chase (India & US), and several others.
- Represented Borrower for Real Estate financing for property acquisitions in the US (Connecticut, Texas, Oklahoma, Kansas, Colorado, California), England/UK, Mexico, Saudi Arabia, Korea, India, and Singapore.
- Counsel for Borrower for Corporate Aircraft purchases & refinances.

Real Estate & Site Acquisition

 1999 - current

- Buyer's Counsel for acquisition of new Headquarters Campus in Tulsa, Oklahoma.
- Buyer's Counsel for acquisition of manufacturing plant in Kansas and expansion of plant in Oklahoma.
- Buyer's Counsel for acquisition of branch office complexes in Texas, Kentucky, Indiana, and Connecticut.
- Lead/Managing Counsel for acquisition of right-of-way, regeneration station sites, data centers, etc., in the US (**WilTel**).
- Counsel for Applicant (**WilTel**) in numerous Franchise Agreements for use of public Right-of-Way with cities and state DOTs.

Legal Department Management

 1999 - 2022

- **WilTel** – Managed group of **3-5 lawyers and staff** handling all legal work for construction of fiber optic network. Managed group of 1-3 lawyers and staff as Head of Litigation/Claims covering construction back charge claims, construction defect claims, operational claims, and HR/Employment claims. Created and managed Legal Department budgets of mid-7 figures.
- **John Zink-Hamworthy Combustion** – Managed **1-2 lawyers and staff** on-site, plus additional lawyers and staff based in Wichita, Kansas. Created and managed Legal Department budgets of low-7 figures.

- **Zeeco, Inc.** – Served as first General Counsel and managed growth of Legal Department to **4 lawyers and staff**. Created and managed Legal Department budgets of low-to-mid 7 figures without budget overages.
- 23 years of experience managing Outside Counsel across the US and Internationally.

Tenure

- **13 years** as General Counsel of **Zeeco** and left position to relocate back to Colorado and take a self-imposed sabbatical. Worked extensively with Zeeco's Assistant General Counsel for promotion to General Counsel. Continue to work on legal projects for Zeeco.
- **3.5 years** as Senior Corporate Counsel/General Counsel of **John Zink-Hamworthy Combustion** (a subsidiary of **Koch Industries**). At the time, the longest serving General Counsel for John Zink and worked extensively with David Koch, and other Executive Management at Koch, on a daily/weekly basis. Left position to accept General Counsel role at Zeeco.
- **7 years** as Senior Attorney for **WilTel** as Lead/Managing Counsel for Construction, Real Estate/Right-of-Way, and Litigation/Claims. Left position because WilTel was acquired by Level 3 Communications and the Legal Department was moved to Broomfield, Colorado. Began position at John Zink-Hamworthy Combustion the day after the Legal Department was disbanded.
- **5 years** as Attorney for **Lyons & Clark** law firm in Tulsa, Oklahoma. Left position to accept role at WilTel. Have collaborated with Lyons & Clark attorneys since that time on multiple lawsuits, most recently within the past three years as co-counsel for a litigated matter in Oklahoma.