

# Fisher Broyles

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**Practice Areas:** Commercial Transactions; Compliance Counseling; Environ, Health & Safety; General Corporate; Government; Real Estate

**Bar Admissions:** Pennsylvania; Massachusetts

**Education:** Notre Dame Law School, JD, 1980; University of Notre Dame, MBA, 1980; Harvard College, AB, 1976

**Experience:** Gulf Oil Corporation; Attorney; Alco Standard Corporation; Senior Attorney; Waste Management Inc., Vice President and Area General Counsel; Saul Ewing LLP

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Tom Jennings has represented national and local business entities for many years in a wide range of commercial transactions, with a particular focus on facility development and operations. Clients rely on Tom for strategic guidance in structuring agreements with the public sector and the formation of public-private partnerships. These activities often involve elements of public policy and procurement issues, economic development, government contracting, environmental regulation and land use planning. He served as counsel to the region's metropolitan planning organization as well as an economic development advisory panel which recommended changes critical to the way public and private sector organizations interact. Tom has served in a general counsel capacity as well as lead project counsel for major business operations on multibillion dollar transactions. Tom was a partner at a major law firm in Philadelphia PA and served as Vice President and General Counsel to an environmental services company.

Tom is a graduate of Harvard College (AB in Government) and received MBA/JD degrees from the University of Notre Dame. He is admitted to practice in Pennsylvania and Massachusetts.

Civic engagement has been a lifelong passion. Tom is an active participant and recognized leader in community organizations, including Citizen Diplomacy International of Philadelphia; Harvard Club of Philadelphia Schools Committee; Pearl S. Buck International; and Snipes Farm & Education Center

among others. Citizen Diplomacy is the region's official international relations organization and a partner with the U.S. Department of State and the City of Philadelphia. Tom and his family have been volunteers for twenty years, serving as homestay hosts to dozens of delegations from Eastern Europe and Asia; arranging for professional meetings and hospitality for visitors from abroad, including: the participants in the State Department's prestigious International Visitor Leadership Program; representatives of the region's Sister Cities; and international graduate students studying at law and business schools. Tom frequently facilitates meetings among economic development and business leaders and their foreign counterparts. Tom has served on the Board since 2003 including service as the Chair (2014-2017), leading Citizen Diplomacy through a transition of leadership and strategic planning.

### Representative Transactions Include

- Representation of industry leader with formulation and implementation of strategy to acquire property to develop major expansion for client's largest facility, generating substantial revenue over decades. Represented client in the negotiation and drafting of agreements with numerous public and private stakeholders.
- Representation of industry leader involving New York City solid waste export contract procurement. The City's Solid Waste Management Plan mandates export of municipal solid waste via public or private transfer stations by rail or barge. Three long term contracts (20 years with two 5 year renewal options), for disposal of solid waste generated in the Bronx, Brooklyn and Queens, represent the culmination of the business strategy designed in consultation with the client more than a decade ago upon entering the largest market served by the industry. These multibillion dollar contracts validate the client's decision to do business in and with a very complex jurisdiction.
- Representation of national client involving the redevelopment of a 4000 acre brownfield site, formerly an integrated steel making facility. The client's optimum window for redevelopment is defined by the period in which economic incentives created by statute are available. The site is regulated by federal and state environmental authorities. The site offers both rail and deep water port assets. Support from the public sector as well as the community is critical to project success. Several companies in the renewable energy sector developed land use plans for operations. In each instance the client and the new companies required various approvals from local and state bodies. Land use is governed by local ordinance and county planning. State land recycling relief is coordinated with the federal agency. Infrastructure improvements have been financed with private investment supplemented by public grant programs.

- Representation of property owner in development of the then 4th largest solar farm in the United States. The engagement focused on land use and coordination with utility and public sector stakeholders.
- Representation of brownfield developer in seeking public sector participation for the operation of regional water and sewer systems. The engagement involved coordination with public authorities in pursuit of grants and other funding, as well as interaction with multiple regulatory agencies.
- Representation of private berth/port operators in securing emergency and maintenance dredging of federal channel and turning basin. Representation also covers disposition and reuse of dredge materials in cooperation with Army Corps and state environmental agencies. Lead counsel on task force which oversees these activities since 2004.
- Representation of generator of landfill gas in exploring direct sale of gas to a renewable energy sector user. Project intended to “close the loop” regarding these resources, enabling the purchaser to minimize utility costs over an extended term.
- Representation of solid waste landfill operator with respect to discharge of leachate via POTW. Representation included drafting pilot and long term agreements; oversight of pipeline and connector project; review and comment on new local ordinance regarding industrial wastewater pretreatment; and appearances before authority and other public agencies.
- Representation, pro bono, to County Economic Development Advisory Board, 2009-2010, at invitation of the Board’s elected co-chairs. Conducted weekly meetings of a distinguished group of community and business leaders. Recommended a strategic plan to overhaul of how development is conducted in the County. Plan was drafted in cooperation with County planning officials and unanimously adopted by the County Commissioners.
- Representation, as Pennsylvania counsel, of Delaware Valley Regional Planning Commission, the highly influential nine county metropolitan planning organization, 2010-2012. Selected via competitive process, retaining position for firm. </ol>