

David Barbour



Partner

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David's practice includes expertise in various commercial transactions on a national and international basis. He represents issuers and underwriters in public and private offerings of equity and debt securities, with an emphasis in structured and restructured issuances of mortgage-backed and asset-backed securities. He also advises clients regarding the negotiation and structuring of various corporate and real estate financings and asset and stock acquisitions. Finally, David is experienced in handling a variety of other general corporate, mortgage banking, real estate and securities transactions.

REPRESENTATIVE EXPERIENCE

- Serves as outside general counsel to NYSE-listed mortgage REIT
- Represented issuers in over 400 mortgage and asset-backed securitizations
- Represented buyer in \$2 billion commercial mortgage loan repurchase facility
- Represented hedge fund in acquisition of specialty finance company through bankruptcy proceedings
- Represented hedge fund in workout and eventual acquisition of oil and gas interests
- Represented Fortune 100 company in commercial mortgage leaseback securitization of its corporate headquarters
- Assisted in drafting of mortgage-backed securitization legislation for Russia and Ukraine
- Represented hospitality REIT in its IPO and subsequent common and preferred equity offerings

PUBLICATIONS

- Recent Ruling Allows a Shareholder Lawsuit to Proceed After a Negative Say-on-Pay Vote: Quirk or Harbinger? (October 6, 2011)
- DC Circuit's Proxy Access Decision to Stand, but SEC to Allow "Private Ordering" of Proxy Access (September 20, 2011)
- SEC Replaces Credit Ratings with New Wide Market Following Test for Shelf Registration Statement Eligibility (September 1, 2011)
- DC Circuit Panel Vacates Proxy Access Rule (July 28, 2011)
- SEC Proposes Rules for Compensation Committees and Compensation Advisers (April 21, 2011)
- Massachusetts Supreme Court Upholds Securitization Conveyance Practices Relating to Assignments of Mortgages (January 11, 2011)
- Next Wave of MBS Litigation Focuses on Issuers, Underwriters (November 8, 2010)

INDUSTRIES

Banking/Financial Services
Hospitality and Hotels
Private Equity
Real Estate
Restaurant

PRACTICES

Banking/Financial Services
Capital Markets
Corporate
Economic Recovery and Government Opportunities
Governance
International
Mortgage-Backed Securities
REITs
Securities
Structured Finance and Securitization
Subprime and Distressed Assets

EDUCATION

JD, 1974, *with honors*, The University of Texas School of Law, Order of the Coif, Chancellors
BBA, 1971, *with highest honors*, The University of Texas, Phi Kappa Phi, Beta Gamma Sigma, Sigma Iota Epsilon
1966-1967, Stanford University

ADMISSIONS

Texas 1974

David Barbour

- Impact of the Obama Administration's Financial Regulatory Overhaul on the Securitization Markets (September 8, 2009)
- "Clark Contracting: Texas Lien Assignees Unperfected?" (March 16, 2009)

PROFESSIONAL RECOGNITION

- *Best Lawyers'* 2011 Dallas Structured Finance Lawyer of the Year
- Profiled as one of the leading Banking & Finance lawyers in Texas, *Chambers USA: America's Leading Business Lawyers* (2005-2012)
- Texas Super Lawyer in Securities & Corporate Finance, *Texas Monthly* (2003-2011)
- *The Best Lawyers in America*, Banking Law and Structured Finance Law (2006-2012)
- Listed in *The International Who's Who of Capital Markets Lawyers* (2006-2009)
- Listed in *Who's Who Legal: Texas* (2009)

BRIEFINGS, SEMINARS & SPEECHES

- "Valuation of Mortgages, Mortgage Instruments, Mortgage Securitization and Regulatory Challenges/Mortgage Securitization Workshop," Wharton International Housing Finance Program, Zell/Lurie Real Estate Center, Wharton School, University of Pennsylvania, Philadelphia, Pennsylvania (June 17, 2011; June 18-19, 2010; June 12-13, 2009; June 13-14, 2008; June 17, 2006; June 18, 2005 and June 19, 2004)
- "NYSE and NASDAQ Corporate Governance and Listing Standards Reform," 10th Annual SMU Corporate Counsel Symposium, SMU Law Review Association, Dallas, Texas (November 1, 2002)
- "Examining Securitization in Latin America—Argentina and Chile," Second Annual Investors & Issuers Summit on Global Asset Securitization, Information Management Network, Barcelona, Spain (June 24, 1998)
- "The State of Securitization in Argentina," Latin American Securitization Conference, Strategic Research Institute, Buenos Aires, Argentina (November 7, 1997)
- "El Boom del Credito Hipotecario en Argentina," Seminario Internacional Paso a Paso Para la Securitizacion de Carteras Hipotecarias, the Institute for International Research SA, Buenos Aires, Argentina (July 22, 1997)
- "The Role of Asset Securitization in Emerging Economies," Executive Seminar International Financial Markets Developments, London Institute of International Banking, Finance and Development Law and Southern Methodist University Institute of International Banking and Finance, Bangkok, Thailand (June 19, 1997)
- "Prospectos de Securitizacion en Argentina y Chile," III Conferencia Annual Negocios Bancarios Internacionales en el Mercosur, La Banca y el Proceso de Integracion, Southern Methodist University Dedman School of Law, University of London, University of Buenos Aires, School of Law and Social Sciences, and School of Law of Buenos Aires, Buenos Aires, Argentina (September 25, 1996)
- "Securitizacion de Activos: La Experiencia Practica de Estados Unidos y America Latina," Securitizacion Avances y Perspectivas, Andrews Kurth and Universidad Catolica de Chile, Santiago, Chile (September 28, 1995)
- "Securitization Update," The University of Texas School of Law Sixth Annual Banking Law Conference, Dallas, Texas (May 21, 1993)

AFFILIATIONS

Member

- Dallas Bar Association
- American Bar Association
 - Section of Business Law
 - Committee on Developments in Business Financing
 - Subcommittee on Securitization of Assets

David Barbour

- NAREIT

Delegate - US Brazil Aspen Global Housing Forum

Senior Fellow - Southern Methodist University Institute of International Banking and Finance, Structured Finance

Professional Fellow - London Institute of International Banking, Finance and Development Law (1995-2005)

PRESS RELEASES

- 54 Andrews Kurth Lawyers Named Best Lawyers in America 2012 (September 22, 2011)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2011 (September 12, 2011)
- Two Andrews Kurth Partners Named 2011 Lawyers of the Year (November 3, 2010)
- 33 Andrews Kurth Lawyers Named in Texas Super Lawyers 2010 (September 10, 2010)
- 49 Andrews Kurth Lawyers Named Best Lawyers in America 2011 (August 16, 2010)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2009 (September 16, 2009)
- 46 Andrews Kurth Lawyers Named Best Lawyers in America 2010 (August 10, 2009)
- Thirty-Five Andrews Kurth Partners Named in Texas Super Lawyers 2008 (October 3, 2008)
- Andrews Kurth LLP Announces Formation of Covered Bonds Practice Group (September 2, 2008)
- Thirty-Six Andrews Kurth Partners Named in Texas Super Lawyers 2007 (October 2, 2007)
- Andrews Kurth Receives High Rankings in Chambers USA Guide (June 25, 2007)
- Andrews Kurth Adds to its 2005 Chambers USA Ranking (June 16, 2005)