

Focus: The Michigan journeys of alumni David Kaufman and Brian Kerwin have been parallel and brought them both to a law firm in Chicago. There they realized they had more in common than a knack for law—they are both Wolverines.

Windy City Wolverines

Corporate attorneys David Kaufman and Brian Kerwin have long been on parallel paths—they just didn't know it until both ended up at the same law firm in Chicago a few years ago. Both grew up in the Detroit area, and although their families were acquainted, Kaufman, '85, MPP'86, JD'90, and Kerwin, '86, never knew each other while pursuing their undergraduate studies at the University of Michigan in the early 1980s. Today, Kaufman, 43, and Kerwin, 42, are among the hottest fast-track lawyers at international law firm Duane Morris LLP, serving in significant leadership roles unusual for attorneys their age.

Kaufman is a partner and co-chair of the international corporate practice group at Duane Morris, focusing on mergers and acquisitions, corporate securities, private equity and general corporate counseling. He has led more than \$8 billion in securities offerings, working on deals such as Inland Retail Real Estate Trust Inc.'s \$1.67 billion follow-up public offering; Inland Western Retail Real Estate Trust Inc.'s \$2.7 billion initial public offering; Mesirow Capital Partners VIII, L.P.'s acquisition of R.B. Gustafson and related financings; and the Unicorn Investment Bank, through its affiliate UIB Capital, acquisition of Ellington-Elsasser Inc.

Kerwin is a partner in Duane Morris' corporate and finance practice groups, helping clients with various business and financing transactions, including buying and selling companies, acquisition financing arrangements, venture capital transactions, syndicated secured loan transactions, private placements of debt and equity, and intellectual property transfers and licensing arrangements. He has worked on a variety of transactions, including representing a private equity fund in its bid for the Aladdin Hotel and Casino in its sale out of bankruptcy for approximately \$700 million of debt and equity; the agent bank in a \$250 million syndicated, multi-borrower acquisition financing facility; and a private equity fund in its formation and capital raise of \$200 million. He is a member of the Duane Morris governing partners' board and a member of the three-partner management committee for the Chicago office. Among various other honors, he is listed in the prestigious Chambers USA directory of top business attorneys for 2006, was named a Leading Lawyer in the State of Illinois last year in both mergers and acquisitions and corporate finance law, and was named one of Chicago Lawyer's "40 Illinois Attorneys Under Forty to Watch" in 2004.



John Boehm Photography

BRIAN KERWIN

David Yelin, managing partner of Duane Morris' Chicago office, says Kaufman and Kerwin quickly became leaders in the firm and are highly respected by their peers and clients. Yelin attributes Kaufman and Kerwin's success not just to their intellect and mastery of the law, but more important, to their people skills. "To be successful in our business, you really have to be able to relate to people and enjoy being around people, and both Brian and David very much have that skill," he explains. "They're able to gain the respect of not only their client, but also their adversaries."

"David's smart and a quick study, and people respect him because he's able to take in a whole transaction and reduce it to a simple thing," Yelin says. "Brian is very outgoing, very engaging, enthusiastic—it's almost infectious," Yelin says. "He's very fair when negotiating, and he knows how to gain people's trust."

Kaufman says his job is essentially about using creativity to solve problems. For instance, he worked on a deal for a Bahrain-based business whose US affiliate bought a purse company in Portland, Oregon. The deal was unlike others Kaufman has worked on for several reasons, including the fact that the transaction had to comply with Islamic law, or Shar'iah. In a banking deal, the law prohibits parties involved from paying or charging interest. "It impacts every piece of the transaction," Kaufman says. "All these documents that ordinarily work in the US don't work for these guys. You have to revisit everything you do and make it Shar'iah-compliant."

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Kaufman humbly attributes his success simply to hard work. "I would like to tell you that I'm smarter than everybody else, that I have this innate ability, but it's simply hard work." Those who have worked with Kaufman appreciate his work ethic, as well as his business and networking savvy. "I find him to be very commercially minded," says Joshua K. Daitch, '94, senior vice president of Mesirow Financial's Private Equity division. "He thinks with a business head, which is important to me for doing things that are right for the deal and right for the business, versus doing what a lot of lawyers do, which is getting stuck in the details. Personally, he's very affable. He has been a great resource for me from a networking standpoint; he's constantly introducing me to new people that could be very helpful to me and my business."

Kerwin says his professional achievements result from doing great work efficiently and on a timely basis, but also by always focusing on client service. "It sounds cheesy, but I really just want to help my clients achieve their goals, whether that means making them multimillionaires or just making them happy with their businesses," he says.

Kerwin's service-oriented approach doesn't go unnoticed by his clients. "We regard Brian at the highest level, as someone who brings to the table not only the deal acumen on complex

DAVID KAUFMAN



assignments, but also the consistent willingness to put the client's needs first," says Ted Polk, a managing director of Citigroup Capital Strategies, a division of Citigroup Global Markets. "For us, that's a critical part of what we're trying to accomplish. He will part the seas . . . and no matter where we are or what we're doing, Brian will be on top of the projects and one step ahead of where he needs to be."

Both Kaufman and Kerwin trace their successes back to their days at U-M. In fact, Kaufman says he was destined to go to U-M, where he completed his undergraduate degree in political science and economics, a master's degree in public policy, and finally, a law degree. "There are about 12 different parts of the university that want money from me," he jokes.

Kaufman says one of the key moments in his U-M experience was his decision to enroll in the public policy school's graduate program at the beginning of his senior year. He knew he wanted to go to law school eventually, but at the suggestion of one of his economics professors, considered the public policy program. "It really enabled me to take all the classes I wanted with complete freedom—and get a degree for it. That was, for me, one of the really awesome things about Michigan. These guys in this program took a chance on me, and it enabled me to do some really cool things."

After completing the public policy program, Kaufman applied for an opportunity to work for a year with the late economics professor Harvey Brazer to reform the tax and budgetary system in Grenada following Operation Urgent Fury, the US invasion of the Caribbean island in 1983. "Five weeks [after applying], I was down in Grenada . . . It was an opportunity that, other than the university, I'd never have gotten."

After returning home, he began law school in Ann Arbor and eventually decided to pursue corporate law. "I like learning about businesses, what makes businesses succeed and what makes them fail," he says. Kaufman began his law career at Katten Muchin Zavis Rosenman in Chicago, was named a partner in 1998, and joined Duane Morris in 2002.

Kerwin, likewise, has a strong connection to U-M. His grandfather graduated from the university in 1925, his mother in 1957 and his brother in 1989. "I loved the experience at University of Michigan," he says. "It's given me lifelong friends, it was a door opener for job interviews . . . A lot of things that are important to me today or that helped make me successful in what I do today I can trace back to the University of Michigan."

One of Kerwin's fondest memories of the university is from his sophomore year. His roommate, Mitchell Folbe, felt the university was too large and impersonal and wrote a letter to then-president

Harold Shapiro telling him so. Shapiro responded by inviting Folbe and his housemates—Kerwin, Michael Fishman and John Halperin (all 1986 graduates)—to his home for brunch on a Saturday. The group ended up staying for four hours. "He was so charming, so wonderful, and one of the things I took away from that was he said, 'No one hands you anything in life; you have to make your own opportunities. You have to seize your opportunities.' And that has always resonated with me."

Kerwin also cites volunteer work he did at the psychiatric hospital in Ypsilanti as a particularly instructive college experience. The ward had been having problems with an elderly patient who was hiding food in her pockets and in various places in her room. Kerwin got to

know her and asked a lot of questions and learned she had lived through the Depression and was deeply concerned about where she would get her next meal. With that knowledge, the hospital began to work with the woman to explain that she needn't be worried. "It really showed me how important it is to ask questions to find the answers to problems," he says. "Don't just take what somebody says, but explore it, nitpick, get to the details."

After his undergraduate studies at Michigan, Kerwin attended law school at George Washington University, and before starting his career, spent two months studying the legal and political system in Israel. He went on to work at Skadden, Arps, Slate, Meagher and Flom, and also received a master's degree in intellectual property law from John Marshall Law School.

When not in the office, Kaufman and Kerwin can be found spending time with their families. Kaufman's wife, Lyn, '85, comes from a family of U-M alumni; her grandfather, parents and uncle all attended the University. The couple has two children, Aaron, 11, and Danielle, 9. Kaufman also enjoys scuba diving and mountain climbing.

Kerwin and his wife, Kelly Lynn, have two children, Noah, 10, and Kevyn Elyse, 1. This summer, the family attended the Alumni Association's Camp Michigania—Kerwin's 18th summer at the camp. He also enjoys playing the guitar.

Both are actively involved in civic and charitable causes. Kaufman is a board member for American InterContinental University, Colorado Technical University and the Anti-Cruelty Society. Kerwin is a member of the Museum and Education Committee for the Illinois Holocaust Museum and has served the National Multiple Sclerosis Society, the Illinois Young Executives Club, and on the American Cancer Society and Juvenile Diabetes junior boards. **UM**

—Mary E. Morrison is a freelance writer based in Chicago.

**A lot of things
that are
important to
me today or
that helped
make me
successful in
what I do
today I can
trace back to
the University
of Michigan.**

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