

Mark K. Googins

Partner

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Mark has concentrated his practice in the areas of commercial finance and commercial transactions for the past 38 years. He counsels clients in mergers and acquisitions, in complex commercial negotiations, and in a wide variety of lending transactions including equipment leasing, leveraged buyouts, and sale-leasebacks.

Mark is co-author of the Maine Commercial Lending Handbook (Tower Publishing, 2011). He is a member of the American Bar Association, the New York State Bar Association, and the Maine State Bar Association. Before joining Verrill, Mark practiced at Milbank, Tweed, Hadley & McCloy in New York.

Among the more notable merger and acquisition transactions for which Mark has served as lead counsel are the acquisition of the Supply Chain Operations Division of Vitran Corporation by Legacy Supply Chain Services, the acquisition of the assets of the Hathaway Shirt Division from WARNACO on behalf of an investor group led by former Governor John R. McKernan, Jr., the sale of one of the country's top health care consulting groups, the sale of one of the country's leading hydropower consulting groups, the acquisition of the assets of a cellular telephone company, the development and eventual merger of the Fresh Samantha juice company, and the sale of the U.S. and Canadian electric generating assets of a Maine-based public utility.

Mark frequently acts as local counsel in mergers and acquisitions. He has served as local counsel in the negotiation of the acquisition of a major hydroelectric facility, the acquisition of a pulp mill and related energy assets, the acquisition of a home health care business, and the sale of an educational institution.

Mark also serves as primary outside legal counsel to a number of small and midsize businesses that do not have in-house counsel. These businesses are in a wide variety of fields including manufacturing, payroll processing, trucking, garden products, scrap metal recycling, design and marketing, publishing, software, food distribution, and alternative energy.

Services/Industries

- Business Law
- Commercial Finance & Lending
- Energy
- Financial Services
- Food & Beverage
- Manufacturing
- Manufacturing Food & Beverage
- Mergers & Acquisitions
- Retail Food & Beverage

Commercial Lending

Mark also represents lenders and borrowers in commercial loan transactions. These transactions have included representation of:

- the borrower in the acquisition of more than 300,000 acres of timberland
- the borrower in the financing for a major forest products enterprise
- the borrower in the refinancing of an owner-occupied medical office building
- the lender in an equipment lease financing
- the lender to a regulated public utility
- the lender in a syndicated line of credit and term loan facility for a distributorship business

He has negotiated numerous workout agreements, on behalf of lenders and borrowers, in the context of non-performing and troubled loans.

Mark handles complex commercial negotiations and has negotiated environmental risk transfer agreements, marketing services agreements, and interim management agreements. Mark worked closely with the Penobscot River Restoration Trust in the negotiation and implementation of the Lower Penobscot River Option Agreement, the first transaction of its kind in the U.S. The Option Agreement allowed the Trust to acquire three hydroelectric facilities on the Penobscot River as part of a complex multi-party arrangement.

Education

- New York University School of Law (J.D.)
 - Articles Editor, Annual Survey of American Law, 1981-1982
- Tufts University (B.A.)

Public Service

- Board Member, Seventy-Five State Street
- Board of Trustees, Cheverus High School (1990-1998, 2004-2013)(Chair, 2011-2013)

Bar Admissions

- New York
- Maine

Honors

- Recognized in *Chambers USA: America's Leading Lawyers for Business* under Corporate/M&A
- Named the Best Lawyers® 2013, 2016, 2020, and 2024 Banking and Finance Law "Lawyer of the Year" in Portland, Maine
- Named the Best Lawyers® 2014, 2018, 2021, and 2024 Corporate Law "Lawyer of the Year" in Portland, Maine

- Named the Best Lawyers® 2009 Maine Banking "Lawyer of the Year" in Portland, Maine
- Listed in *The Best Lawyers in America*® for Banking and Finance Law, Corporate Law, Mergers and Acquisitions Law in Portland, Maine
- AV® rated by *Martindale-Hubbell*

To learn more about third-party ratings and rankings, and the selection processes used for inclusion, [click here](#).