

Brett M. Esber | Senior Counsel
Maritime

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Brett Esber is a senior partner in the Firm's maritime practice group, with over 30 years of experience representing companies involved in all aspects of the maritime industry. His clients include shipyards, ship owners and operators, vessel managers and cargo interests, and those who invest in ships, including commercial and investment banks, vessel leasing companies, alternative lenders and private equity funds.

Brett's practice is focused primarily on commercial transactions and finance involving ships. He has considerable experience structuring, drafting, negotiating, and advising clients with respect to:

- vessel construction contracts
- vessel charters (bareboat, time and voyage charters) and contracts of affreightment
- vessel secured credit facilities
- lease financing transactions involving ships
- second lien credit facilities involving ships
- project financing transactions involving ships
- joint ventures involving ships
- restructuring and workout transactions involving vessel owners and operators

Brett has experience working with companies involved in all sectors of the maritime industry, including tankers, dry bulk, containers, offshore, inland lakes and rivers, and cruise vessels. His practice involves the international as well as the U.S. domestic trades. With regard to the U.S. domestic trades, Brett has considerable experience structuring transactions to comply with the U.S. Jones Act and has

assisted companies in obtaining funding through the United States Title XI loan guarantee program.

Outside The Firm

Brett is the father of two, a daughter now married and living in New England and a son newly-graduated from college and living in Virginia. His wife, Eva, also a lawyer, is now semi-retired.

Brett is interested in sports and is a Washington Capitals and Georgetown Hoyas season ticket holder. He coached his son's school basketball team ("CYO") for eight years (from grades 1 through 8) and enjoyed watching them win a championship in their seventh grade year.

Select Engagements

- A leasing company, in the acquisition and chartering out of a newly-constructed articulated tug / barge unit for operation in the U.S. domestic (Jones Act) trades.
- Special maritime counsel to ad hoc bondholder group in pre-packaged bankruptcy of large publicly-traded owner/operator of offshore service vessels.
- A leasing company. in separate \$150 million and \$300 million vessel-secured credit facilities to refinance existing debt on 10 product tankers.
- Special maritime and Marshall Islands counsel to a private equity firm in the formation of a \$900 million fund using Marshall Islands entities to invest in shipping assets.
- A Norwegian entity, in sale of four shipbuilding contracts for construction of handy size product tankers.
- An expedition cruise vessel owner/operator, in negotiation of shipbuilding contract for construction of two expedition cruise vessels.
- An alternative lender, in \$360 million vessel-secured credit facility to fund construction and acquisition of six LPG tankers built in South Korea.
- A private equity fund, in joint venture with established vessel management company, in acquisition, ownership and operation (in vessel pool) of four second-hand dry bulk vessels.
- An owner/operator of asphalt carriers, in connection with \$16 million senior loan and \$4 million junior loan to finance acquisition of asphalt carrier.
- A shipyard sponsor, in formation of Norwegian listed entity to acquire and operate four newly-built product tankers.
- A private equity fund, in \$95 million second lien credit facility advanced to Great Lakes vessel owner and operator.
- An oil major, in risk assessment of shipping activities related to crude oil and chemical trading activities.
- A vessel owner and operator, in negotiation and closing of \$250 million asset-backed revolving credit facility.
- A leasing company, in \$770 million credit facility to fund acquisition of 10

- handy size product tankers for charter to large vessel operator.
- A U.S. flag operator, in \$275 million leveraged lease financing of five newly-constructed container vessels.
 - A U.S. shipyard and leasing company, in \$850 million transaction to build and charter product tankers for operation in the U.S. domestic trades.
 - A privately-owned tug/barge operator, in all commercial and finance aspects of fleet renewal and expansion program, including negotiation of shipbuilding contracts, financing and charter agreements.
 - A Bermuda-based shipping company, in \$250 million transaction involving construction and cross-border lease financing of refrigerator cargo vessels.

Admissions

- District of Columbia
- Virginia

Education

- Ohio State University, BS, summa cum laude
- Georgetown University Law Center, JD

Recognitions

- 2018–2019, Transportation: Shipping/Maritime: Finance Law, listed in *Chambers USA*
- 2018–2020, “Leading Lawyer,” listed in *The Legal 500’s Guide to Outstanding Lawyers Nationwide*
- 2019–2020, listed in *The Legal 500 United States*
- 2018, Client Service All-Star,” BTI Consulting Group
- 2017–2018, listed in *Who’s Who Legal – Shipping*
- 2015, A Top Ten Lawyers for Shipping Law, listed in *Lloyd’s List* “One Hundred” (Edition Five)

Professional Activities

Brett is a frequent speaker and writer on issues related to the maritime industry.

He is a past president of the Maritime Administrative Bar Association in Washington, D.C.