

Robert J. Mittman | Partner

Corporate

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Robert Mittman has more than 40 years of experience in corporate and securities law. He represents numerous public and private companies, REITS, investment banks, venture capital and private equity firms, and high-net-worth individuals, both generally and in transactional and financing activities of all types.

Bob has acted as issuer and underwriter counsel in connection with hundreds of public and private equity and debt offerings. He has also developed a national reputation representing public entities in connection with SEC enforcement proceedings.

Bob serves a wide range of clients with respect to matters such as:

- Mergers, acquisitions, and divestitures
- Public and private debt and equity securities offerings
- Venture capital and private equity financing and investments
- Corporate governance and board counsel, including proxy advisory matters and executive compensation
- Class actions and derivative lawsuit settlements and defense in conjunction with alleged accounting errors and securities violations
- SEC, Department of Justice, and FTC investigations
- Regulatory filings for public companies
- SPACs: IPOs and de-SPAC transactions

Additionally, Bob represents investment banking firms in a variety of matters, including broker-dealer registration; FINRA, SEC, and NYSE compliance; and investment advisory compliance.

His representative publicly traded clients include:

- Washington Prime Group Inc.
- Simon Property Group, Inc.
- Iconix Brand Group, Inc.
- Xcel Brands, Inc.
- Novus Capital Corp. (Series I-IV)

Outside The Firm

Bob is a pilot with an Airline Transport Pilots Rating and Learjet and Lear 60 Type Ratings. He serves as a director emeritus on the board of directors of the Smithsonian National Air and Space Museum in Washington, D.C.

Select Engagements

- A NYSE-listed REIT with respect to a \$750 million public offering of 5.950% Unsecured Notes.
- A global NASDAQ-listed worldwide brand management company engaged in licensing, marketing, and providing trend direction for a portfolio of consumer and entertainment brands with respect to:
 - Acquisitions and international joint ventures involving more than 20 brands for an aggregate of more than \$1.45 billion.
 - \$288 million 144A convertible senior subordinated notes offering and hedge.
 - \$260 million follow-on public offering.
 - \$172 million follow-on public offering, including shares sold by the company and selling stockholders.
- A leading global source of critical information and analytics, in its \$1.4 billion acquisition of a recognized leader in the automotive industry.
- A NASDAQ-listed global provider of supply chain solutions to the wireless industry, in several transactions, including:
 - \$385 million acquisition of Europe's largest distributor of mobile phones and related products.
 - Acquisitions of two U.S. companies for an aggregate value of \$142 million.
 - Acquisition of the client company by the world's largest technology distributor and supply-chain services provider.
 - \$82 million secondary public offering for a selling stockholder.
- More than 300 public offerings representing issuers and underwriters.
- Public company clients, with respect to SEC investigations of financial irregularities and FTC investigations.

Representative Transactions

- Represented Novus Capital Corporation, a publicly traded special purpose acquisition company, or SPAC, in closing its business combination with

AppHarvest, Inc., a pioneering developer and operator of sustainable, large-scale, controlled environment indoor farms. The transaction provided \$475 million of gross proceeds to AppHarvest, including a \$375 million fully committed common stock PIPE at \$10.00 per share. The pro forma equity value of the transaction is approximately one billion dollars.

- Represented Propeller Airports, which has privatized the airport at Paine Field in the Seattle area, in a sale to Global Infrastructure Partners, a leading, independent global infrastructure investment firm. The transaction represents the first privatization of a U.S. domestic airport passenger terminal operation.
- Represented Churchill Capital Corp., a publicly traded investment vehicle, in its merger with Clarivate Analytics PLC, a global leader in providing trusted insights and analytics to accelerate the pace of innovation.
- Represented Gama Aviation LLC, a leading private aviation services company that provides aircraft management, private jet charter, and ancillary support for its managed aircraft, in its sale to Wheels Up, a private jet charter company that allows members to book short- and medium-range private charter flights at an all-inclusive hourly rate.
- Represented Novus Capital Corporation and Novus Capital Corporation II in SPAC IPOs.

Admissions

- New York

Memberships

- American Bar Association
- New York City Bar Association

Education

- Boston University, BBA
- Boston University, BS
- New York University School of Law, JD

Recognitions

- Corporate/M&A & Private Equity Law, listed in *Chambers USA*
- AV-Preeminent®, listed by Martindale-Hubbell®
- 2012–2022, Mergers and Acquisitions Law and Securities / Capital Markets Law in New York, listed in *Best Lawyers in America*®
- 2019–2020, listed in *The Legal 500 United States*
- 2006–2021, New York “Super Lawyer” in Securities & Corporate Finance, listed in *Super Lawyers*
- 2008, “Corporate Transactions All-Star Team,” listed by BTI Consulting Group

Professional Activities

- Director Emeritus, Smithsonian National Air and Space Museum