

Kenneth Roberts

Partner

Ken's experience of over 35 years is a diverse public finance practice involving multiple States and sectors. His work includes extensive experience with all phases of state financing programs, including the authorization, documentation, funding and administration of these programs, and with the development of legislation, administrative regulation and industry standard practices. He has particular expertise with loan and savings programs to fund higher education costs and with financing educational, cultural and research facilities and state employment-related payment programs.

Ken's general finance-related experience includes extensive participation in a broad range of portfolio, project and system financings and public procurement and contracting matters, as well as in federal and state legislative, administrative rulemaking and ruling, insolvency and litigation matters. He has advised clients on issues ranging from initial financing program authorization and documentation to financing program restructure and program termination.

His transactional law experience includes primary responsibility for over \$11 billion of publicly marketed financings by state student loan programs in over twenty States and for the launching or relaunching of several state qualified tuition programs; for public or private conduit, direct and developer-based financings for higher education or other nonprofit facilities in eight States and the District of Columbia; substantial participation in the authorization and financing of employment-related benefit reform programs in several States; and substantial participation in financings in several States for each of resources recovery, turnpike and public power purposes.

Ken received the National Association of State Treasurers 2008 Corporate Affiliate Award for his representation of NAST as an *amicus* party before the United States Supreme Court in the *Kentucky v. Davis* case, which confirmed that a State may support the market for its public debt by exempting only such debt from its taxes upon interest while taxing interest upon similar public debt of other States. He has also assisted NAST and other industry groups in responding to certain aspects of the Dodd-Frank reforms, in the development of voluntary disclosure standards and in the development of laws and regulations to implement a number of higher education funding and other public finance programs.



CONTACT

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PRACTICES

Bond Counsel
Borrower's Counsel
Disclosure Counsel
Private Placements
Securitization
Underwriters' Counsel

INDUSTRIES

Cultural Institutions and
Foundations
Education
Higher Education

EDUCATION

Duke University, B.A.
University of Michigan, J.D.

ADMISSION

New York

- **Is there a Bright Side to the Student Loan Debt Problem for 529 Programs?**
National Association of State Treasurers Treasury Management Training Symposium
- **Replacing LIBOR**
The Bond Buyer's National Outlook 2019 Conference
- **Yikes!!! Amendments to SEC Rule 15c2-12 and Changes to My Continuing Disclosure Agreement!!"**
National Association of State Treasurers, State Debt Management Network Webinar
- **Capital Markets Regulatory Update—Secondary Market Disclosure, High Quality Liquid Asset and LIBOR**
Education Finance Council, Mid-Year Membership Meeting
- **The Future of LIBOR**
National Council of Higher Education Resources, Annual Conference
- **Student Loan Finance: LIBOR and Related Federal Tax Issues**
National Council of Higher Education Resources, Legal Meeting
- **Legal Issues in Municipal Bond Financing**
National Council of Higher Education Resources, Legal Conference
- **The SEC's Municipal Advisor Rule**
National Association of State Treasurers, State Debt Management Network Webinar
- **State-based and Nonprofit Refinance Programs**
Education Finance Council, Annual Membership Meeting
- **An Examination of the Student Loan Refinance Market – Current Availability of Tax-Exempt Bonds to Refinance Student Loans**
Education Finance Council, Annual Membership Meeting
- **Improving Continuing Disclosure**
National Association of State Treasurers Treasury, Management Training Symposium
- **Secondary Market Disclosure**
National Association of State Treasurers, Issues Conference on Public Funds Management
- **Underwriters' Counsel Roundtable**
National Association of Bond Lawyers, Bond Attorneys Workshop
- **Federal Taxation of Municipal Bonds – Constitutional Considerations**
National Association of State Treasurers, Legislative Conference
- **Public Authorities and Municipalities: The Implication of Dodd-Frank on their Fiscal Operation (The Proposed Municipal Advisor Rules)**
Albany Law School Government Law Center, Municipal Securities Roundtable
- **Dodd-Frank Regulatory Reform Act—Impacts on Issuers and Financing Team Members**
National Association of State Treasurers Treasury, Management Training Symposium
- **Effect of Initial Commission Releases Implementing the Investor Protection and Securities Reform Act of 2010 on Municipal Securities**
Securities Industry and Financial Markets Association, Municipal Legal Advisory Committee
- **Kentucky v. Davis Post-Argument Status and Potential Relevance to SEC Municipal Market Jurisdiction**
National Association of State Treasurers, State Debt Management Network Regulatory Update Conference
- **Contracting Process Management**
National Association of State Treasurers, College Savings Plan Network Technical Conference
- **Securities Regulatory Aspects of 529 Plans**
National Association of Bond Lawyers, Tax and Securities Institute
- **The Fundamentals of Good Disclosure for a 529 Plan**
National Association of State Treasurers, Treasury Management Training Conference
- **Legal and Regulatory Issues Impacting the Student Loan Market**
Strategic Research Institute Forum on Securitization of Student Loans
- **Legal Issues Applicable to Alternative Student Loan Deals**
Information Management Network Summit on Emerging & Niche Asset Securitization

- **Establishment of Security Interests in FFELP Loans**
Education Finance Council and National Council of Higher Education Loan Programs, Joint Legal Conference
- **Should There be a New York State Constitutional Convention?**
Bronx Borough President Bronxnet Forum

PUBLICATION

- Guidance from Treasury regarding USD LIBOR Phase-Out
- College Savings Plan Network Disclosure Principles Statement No. 2
- Nonprofit Joint Ventures
reprinted in Higher Education Law Bulletin Vol. X No. 3.
- College Savings Plan Network Disclosure Principles Statement No. 1
- Tuition Savings Programs Under the 2001 Tax Act