

JOEL O. BENSON

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DAVIS
GRAHAM &
STUBBS



EXPERTISE

Natural Resources, Mining, Cross-Border Transactions, Corporate Finance, International Transactions, Mergers & Acquisitions, Energy Industry, and Oil & Gas Industry

EDUCATION

University of Denver Sturm College of Law, J.D., *Order of St. Ives*, 1994

Duke University, B.A., 1988

ADMITTED IN

Colorado

Joel Benson focuses on domestic and international debt financings, acquisitions and divestitures, commercial transactions, and project development, with specialized expertise working with mining and natural resources companies and private equity investors. He has been selected to *The International Who's Who of Mining Lawyers* each year since 2011 and has earned an AV Preeminent® Peer Review Rating™ from Martindale-AVVO® since 2006. In 2016, *Who's Who Legal* named Mr. Benson as one of the ten “most highly regarded individuals” in the Northern Hemisphere for mining law and as one of the 10 “thought leaders” in North America for mining law in 2017 and 2018. In addition, he has been named in *The Best Lawyers in America*® for Oil & Gas Law. Since 2012, he has also been an adjunct professor of mining law at the University of Denver Sturm College of Law.

Mr. Benson frequently advises private equity funds and mining company clients on their acquisitions, investments, joint ventures, project development, and other business activities. He has extensive experience with structuring and documenting complex credit arrangements and associated multi-jurisdictional collateral security arrangements involving a variety of industries in the U.S. and around the world. Mr. Benson's debt financing practice involves representing both borrowers and lenders (including banks, private equity funds, merchant banks, and other financial institutions) in international project finance, mezzanine debt, corporate

credit facilities, senior secured facilities, royalty financings, streaming transactions, gold loans, senior and subordinated note offerings, and other financing arrangements.

Mr. Benson's international transactional practice has involved projects and companies in more than 25 countries, including the U.S., Australia, Bolivia, Brazil, Cameroon, Canada, Chile, China, Colombia, Ghana, Honduras, Kenya, Mexico, Peru, Portugal, Romania, Slovakia, Spain, Thailand, and Turkey, and has covered numerous minerals, including gold, silver, rare earths, platinum/palladium, uranium, cobalt, nickel, iron ore, zinc, and copper, as well as other metals, industrial minerals, thermal and metallurgical coal, and oil and gas. His work with international projects has led to counseling clients with respect to the Committee on Foreign Investment in the United States (CFIUS) and the Foreign Corrupt Practices Act (FCPA).

Prior to attending law school, Mr. Benson served for three years as a legislative assistant for Congressman Tim Johnson (SD) in the U.S. House of Representatives. While there, he focused on public land, water, environmental, and energy issues as the staff person responsible for the Congressman's duties on the House Natural Resources Committee, in addition to covering a variety of other issues ranging from foreign affairs to education.

MEMBERSHIPS & AFFILIATIONS

- The Foundation for Natural Resources and Energy Law
 - Secretary and Board Member 2018-2019
 - Member of Board of Directors 2013-2015
 - Trustee 2008-2010
 - Financial Advisory Committee 2005-present; (Chair since 2014)
 - Operations Finance Special Committee 2017-2018
 - Co-Chair Strategic Planning Special Committee 2018
 - Audit and Risk Management Committee 2010-2013
- Colorado Bar Association, Natural Resources and Energy Law Section (past chair)
 - Executive Council 1999-2006
- International Bar Association, Mining Committee, Corporate and M&A Committee and Section on Energy, Environment and Natural Resources Law
- American Bar Association, Section of Environment, Energy, and Resources and Business Law Section
- Prospectors and Developers Association of Canada

PRESENTATIONS & PUBLICATIONS

- The Foundation for Natural Resources and Energy Law's Due Diligence Special Institute: Regulatory Roulette: Preparing for Potential Filings Under HSR and CFIUS, 2018
- RMMLF Mining Law Short-Course: Understanding Debt Financing for Mining Companies: Sources of Financing and Fundamental Terms, 2008, 2009, 2010, 2014
- The Foundation for Natural Resources and Energy Law's Advanced Mineral Title Examination Special Institute: Discovery in the 21st Century, 2014