

KERRY E. BERCHEM



Areas of Expertise:

- Nationally recognized in the areas of M&A, corporate governance and shareholder activism
- Extensive experience with public and private companies, boards of directors and C-suites
- Executive leader at a global professional services firm
- Effective consensus builder with demonstrated business acumen and proven ability to lead, set strategy, manage risk, solve problems and create value

Professional Experience:

1997-Present **Akin Gump Strauss Hauer & Feld LLP**, a top 25 global law firm
Partner (2000-present); Counsel (1997-1999)

Legal Experience:

- Transactions: Extensive experience leading mid- and large-cap public, private and distressed mergers and acquisitions, IPOs/capital markets financings and bespoke special situations transactions.
- Board of Directors and Committees: Trusted advisor to Boards of Directors and C-Suites on corporate governance, environmental, social and governance (ESG), investor relations, disclosure, trading questions and internal investigations.
- Crisis Management: Significant experience preparing for, navigating and mitigating risk relating to matters subject to public scrutiny, including shareholder activism and takeover defense, executive transitions and financial restatement matters.
- Industry: Business experience with companies across a broad array of industries, including manufacturing, distribution, industrial, retail and (re)insurance.

Leadership and Management Experience:

- Management Committee (Member, 2009-2013, 2017-2024): Participate in development and oversight of Akin's strategic goals and objectives, budget and asset allocation and risk management issues.
 - Audit Committee (Chair, 2012-2016)
 - Succession Committee (Member, 2011-2012)
 - Retirement Committee (Member 2003-2008)
- Corporate Practice (Chair, 2008-2018): Set and implemented strategy for Akin's Corporate Practice. Guided significant expansion of corporate client business generation, revenue, profitability, head count and brand awareness. Managed and led development initiatives, promotion and compensation decisions.
- ESG Group (Co-Chair, 2018-present): Founder and co-chair of Akin's Environmental, Social and Governance (ESG) Group, an interdisciplinary, cross-office practice that provides customized solutions, risk mitigation strategies and thought leadership to companies and investment funds. Prepare and oversee implementation of strategic plan. Manage marketing and branding efforts.

1991-1997 **Dewey Ballantine LLP**, a national law firm with ~400 attorneys
Associate, Insurance Practice

- Transactional and Regulatory Experience: Gained deep understanding of transactional, commercial and regulatory matters relating to the (re)insurance industry. Represented companies, investors and underwriters.

Select Professional Recognitions:

- *Chambers, M&A (Highly regarded)* (2006-present)
 - “*She's hands-on, thoughtful and exceedingly diligent in terms of making sure she knows every aspect that could have an impact.*”
- *Lawdragon*, 500 Leading Dealmakers in America (2022-present)
- *Legal 500* – Corporate Governance (2023)
- *Euromoney*, *Women in Business Law*: Corporate Governance Lawyer of the Year (2021)
- *Crain's New York*, Notable Women in Law (2021)
- *The Deal*, Top Women Dealmakers – Activism (2021)
- *New York Law Journal*, New York Trailblazers (2019)
- *Legal 500* – Corporate Governance (2023)
- *New York Law Journal's* “Top Women in Law” (2016)

Select Speeches and Professional Publications:

- “*Pure Omissions Are Not Actionable Under Rule 10b5-1*” - Insights
- *Women Corporate Directors' Global Institute*, Panelist - “Transformative Leadership & Trust”
- *Corporate Board Member Boardroom Summit*, Speaker - Using Evaluations to Enhance Board Effectiveness
- “*The SEC Reminds Companies Not to Forget the S in ESG*”
- “*Mission Critical – Revisiting the Board's Oversight Role After in re: Boeing Co.*”
- Nasdaq Diversity Proposal – Author of SEC Comment letter dated January 4, 2021, cited by Nasdaq in response to critics and the SEC in connection with its approval of the rule

Advisory Boards/Community Activities:

- Harvard Law Governance Advisory Committee (Member, 2020-present)
- New York City M&A Bar Committee (Member, 2016-present)
- Hamilton College Leadership Council (Member, 2017-present)
- Yale Alumni interviewer (2009-present)
- DirectWomen Board Institute (Member, 2023)
- Representative Town Meeting, Fairfield, CT (2017-2019, 2023-present)

Formal Education:

1988-1991 Tulane University Law School, cum laude, J.D.

- Teaching Assistant to Dean Robert Clayton
- Legal Research and Writing fellow

1984-1988 Yale College, B.A.

- Varsity Volleyball
- Varsity Softball
- Kappa Alpha Theta (founding member of Epsilon Tau Chapter, first sorority at Yale)

Interests/Personal:

Skiing, hiking, mentoring, reading, listening to true crime podcasts and producing documentaries