



KERRY E. BERCHEM

Areas of Expertise:

- Extensive experience with public and private companies, boards of directors and c-suites
- Nationally recognized in the areas of M&A, corporate governance, and shareholder activism
- Leader, manager, and builder of business units with a holistic approach to problem-solving
- Effective consensus builder with demonstrated business acumen and proven ability to manage risk, solve problems, and create value

Professional Experience:

1997-present **Akin Gump Strauss Hauer & Feld LLP**, a top 25 global law firm with more than 900 lawyers located in 18 offices across four continents and ~\$1.4 billion annual revenue
Partner, Corporate (2000-present); Counsel (1997-1999)

Legal Experience:

- Board of Directors and Committees Experience: Advise public and private companies, boards of directors, and c-suites on transactions, strategic planning, management succession/compensation/retention issues, corporate governance, shareholder activism, ESG, internal investigations, and financial restatements.
- Transactional Experience: 30+ years' experience leading mid- and large-cap mergers and acquisitions, Chapter 11/financial restructuring matters, and IPOs/capital markets transactions.
- Tax/Industry Experience: Navigate complex, bespoke, and tax-driven matters, including monetization of NOLs, across a variety of geographies and industries, including (re)insurance, manufacturing, and retail

Leadership and Management Experience:

- Management Committee (Member, 2009-2013, 2017-present): Participate in the 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)
- ESG Practice (Co-Chair, 2018-present): Founder and Co-Chair of Akin's Environmental, Social, and Governance (ESG) practices, an interdisciplinary, cross-office practice that provides customized ESG solutions and thought leadership to companies and investment funds. Prepare strategic plan; manage marketing and branding efforts.
- Corporate Practice (Chair, 2008-2018): Set and implemented strategy for Akin's Corporate Practice. Guided significant expansion of corporate client business generation, revenue, profitability, headcount and brand awareness. Managed and led development, promotion, and compensation decisions for more than 150 attorneys located in 9 offices.

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

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

Select Professional Recognitions:

- *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
- *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” – Chambers, 2020
- *Lawdragon*, 500 Leading Dealmakers in America, 2022
- *New York Law Journal's* “Top Women in Law,” 2016

Select Speeches and Professional Publications:

- *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
[https://www.mondaq.com/unitedstates/securities/1284162/the-sec-reminds-companies-not-to-forget-the-s-in-esg-activision-blizzard-reaches-\\$35-million-settlement-over-disclosure-controls-related-to-workplace-complaints-and-violation-of-whistleblower-protection-rule](https://www.mondaq.com/unitedstates/securities/1284162/the-sec-reminds-companies-not-to-forget-the-s-in-esg-activision-blizzard-reaches-$35-million-settlement-over-disclosure-controls-related-to-workplace-complaints-and-violation-of-whistleblower-protection-rule)
- 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
<https://www.jdsupra.com/legalnews/sec-approves-new-nasdaq-rules-covering-1396457/>

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)

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)

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Interests/Personal: Skiing, hiking, mentoring, reading, and listening to true crime podcasts