



# Geoffrey D. Ferrer

## Vice Chair, Transportation & Trade

### New York

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Geoffrey serves as the office managing partner of the New York office and is vice chair of the firm's Transportation & Trade Practice. He focuses on U.S. and non-U.S. flag shipping matters, and all aspects of asset-based lending, including ship and aircraft finance and equipment leasing. He routinely advises vessel owners and operators, as well as financial institutions in connection with U.S., Marshall Island, Liberian and Vanuatu maritime and corporate laws. He also provides maritime advice in connection with shipping related mergers and acquisitions, as well as securities offerings. In addition, he represents clients in maritime lien and mortgage enforcement actions, as well as in marine casualty and general commercial disputes. He has been recognized by Chambers and Partners USA in Nationwide Transportation: Shipping/Maritime Finance from 2014-2020 and Chambers Global in 2019 and 2020. Geoffrey was named by Best Lawyers as the 2020 New York City Transportation Law "Lawyer of the Year."

In 1978, Geoffrey received his Bachelor of Arts from the University of Oklahoma. He earned his law degree in 1981 from Columbia University.

He is the author of the "Judicial Sales and Priority of Liens - United States," chapter in the *Maritime Law Handbook*, published by Wolters Kluwer in 1994 and updated in 2013 and 2017.

### Experience

Counsel to leading European financial institution, as agent and security trustee, in a \$42 million New York law credit facility to finance a portion of the purchase price of two new build vessels by a NYSE member company that owns and operates a fleet of modern mid to large-size dry bulk carriers.

Acted as special New York counsel to a leading European lender, as agent in connection with \$12.5 million secured loan for post-delivery financing of a bulk carrier.

Acted as special New York counsel to a leading European lender, as agent, arranger, security agent, account bank, and lender in connection with a syndicated \$330 million term loan that is providing delivery and post-delivery financing for the acquisition of 21 bulk carriers.

Acted as special counsel to an owner, operator and acquirer of liquefied natural gas carriers, a Marshall Islands limited partnership, on matters of Marshall Islands law in connection with a follow on public offering of an additional 7.5 million limited partnership units.

Acted as special maritime counsel to one of the world's largest contractors of independent-leg cantilever (ILC) jack-up rigs on matters of Vanuatu, Liberian, and Marshall Islands law in connection with an increase in a credit facility with RBC Europe Limited, as administrative agent and collateral agent. The credit facility is secured by first preferred ship mortgages on 34 non-self-propelled mobile offshore drilling units.

Acted as special counsel on Liberian and Marshall Islands law for one of the world's leading owners and providers of containerships for charter in connection with the issuance of its 8.75% Series D Cumulative Redeemable Perpetual Preferred Shares in the public market.

### Practice Areas

- Maritime Corporate & Finance
- Maritime Litigation
- Maritime Regulatory
- Wind Energy

### Industry Sectors

- Maritime

### Education

- Columbia University School of Law, J.D., 1981
- University of Oklahoma, B.S., 1978

### Bar Admissions

- California
- New Jersey
- New York
- Republic of the Marshall Islands

### Court Admissions

- U.S. Bankruptcy Court -- Southern District of New York
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court -- Central District of California
- U.S. District Court -- Eastern District of New York
- U.S. District Court -- New Jersey
- U.S. District Court -- Northern District of California
- U.S. District Court -- Northern District of New York
- U.S. District Court -- Southern District of California
- U.S. District Court -- Western District of New York

### Affiliations

- American Bar Association
- California Bar Association
- International Bar Association
- Maritime Law Association of the United States

### Awards & Honors

- *Chambers & Partners USA*: Nationwide, Transportation: Shipping/Maritime: Finance 2014-2020
- *Chambers Global* - 2019-2020; *USA, Marshall Islands, Liberia*
- *The Legal 500 United States* "Leading Lawyer" for Transport: Shipping in 2018-

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2020

- New York City Transportation Law “Lawyer of the Year” by Best Lawyers 2020
- Best Lawyers in America, 2018-2020

Acting as special counsel on matters of Marshall Islands and Liberian law in connection with possible initial public offerings of limited partnership units by a Marshall Islands limited partnership.

Acted as special U.S. maritime counsel to a private equity firm in connection with its investment through an affiliate in one of the largest U.S.-based seafood harvesters and owner of U.S. flag fishing vessels.

Obtained dismissal of a \$5 million suit filed against an oil refinery in the U.S. District Court for the District of the Virgin Islands, by a vessel owner which alleged that defective bunkers sold by the defendant caused catastrophic damage to the vessel's engines and a resultant loss of power and propulsion while the vessel was at sea.

Obtained a judgment, including an award for attorneys' fees, from the New Jersey Superior Court, Middlesex County, against a natural gas producer which raised *force majeure* as a defense for its failure to deliver contractual quantities of natural gas under a NAESB contract. Plaintiff's judgment was affirmed on appeal by the Appellate Division of the State of New Jersey, 435 N.J. Super. 39 (A.D. 2014), which was the first appellate court to interpret the *force majeure* provision of the NAESB, an industry contract form promulgated by the North American Energy Standards Board.

Represented a Fortune 50 energy company in an arbitration before the Society of Maritime Arbitrators commenced by a claimant which had purchased six vessels from the respondent pursuant to a complex support agreement which guaranteed minimal freight rates to the claimant for a five-year period. Toward the end of the support agreement's term, claimant changed the manner in which support payments were calculated and sought additional retroactive payments of \$3.2 million from the respondent. Obtained an arbitration award which dismissed the \$3.2 million claim, and granted recovery on the respondent's counterclaim plus attorneys' fees in the amount of \$606,000.

Won summary judgment resulting in the dismissal of an \$8 million claim against our clients, Hess Corporation ("Hess") and Hess Energy Marketing, LLC (*Summit Transport, Inc. v. Hess Energy Marketing, et al.*, 2019 WL 430863 (DNJ 2019)). The plaintiff was a New Jersey fuel oil delivery company which alleged that an oral joint venture existed between Hess and it which entitled the plaintiff to a portion of the proceeds when Hess sold its energy marketing business.

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