

Counsel, Chicago

Banking



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Education

J.D., University of Michigan
Law School, 2008

B.M., University of Michigan, 1999

Bar Admissions

Illinois

Associations

Member, Board of Directors, 2nd Story
(2016-Present)

Member, Associates Board,
Steppenwolf Theatre (2015-Present)

Government Service

1st Lieutenant, U.S. Army, 2001-04

David Wagener represents borrowers and lenders in connection with various types of sophisticated financing transactions in a variety of industries, many with complex, cross-border secured financing structures, including asset-based loan facilities, acquisition and other leveraged financings, investment-grade lending, corporate restructurings and workouts, debtor-in-possession financings and exit financings.

Significant transactions include the representation of:

- **Ball Corporation** in bridge and permanent financings for its acquisition of Rexam PLC, that originally included a \$3 billion secured multi-currency revolving facility and a £3.3 billion unsecured bridge facility. In March 2016, Ball Corporation refinanced its revolving facility with a \$1.5 billion secured multi-currency revolving facility, and its bridge facility with a \$1.4 billion secured term loan facility and a €1.1 billion secured term loan facility. The 2016 credit agreement included both a revolving facility and two U.K. certain funds term loans. This deal was named Transatlantic Deal of the Year by *The American Lawyer* and was shortlisted by *IFLR* for Loan Deal of the Year;
- **Standard Chartered Bank** in a \$1.8 billion secured cross-border U.S. law term loan facility for Novelis Inc., syndicated primarily to Asian banks. The deal was named Loan Deal of the Year at the 2018 *IFLR* Americas Awards;
- **Wells Fargo Bank, National Association** in a \$1 billion secured asset-based cross-border revolving facility (including German, Swiss, Canadian, U.K. and U.S. borrowing bases) for Novelis Inc.;
- **Citibank, N.A.** in asset-based credit facilities for Avaya Inc., Harland Clarke Corp., inVentiv Health, Inc. and UTi Worldwide, Inc., and in a letter of credit facility for Sears Holdings Corporation and its subsidiaries;
- **Bank of America, N.A.** in asset-based credit facilities for Vee Pak, LLC, School Specialty, Inc. and Navistar, Inc.;
- **CF Industries, Inc.** in connection with its \$750 million senior secured revolving credit facility and \$1.25 billion Rule 144A/Regulation S high-yield offering of senior secured notes; and
- **Burlington Coat Factory** in its asset-based revolving facility and term loan facility.

Mr. Wagener was named a recipient of the 2018 40 Under 40 Award from *The Commercial Finance Association*.

Prior to joining Skadden, Mr. Wagener served as an infantry officer in the U.S. Army with the 82nd Airborne Division and is a veteran of the wars in Afghanistan and Iraq.

Mr. Wagener also represents veteran clients *pro bono* in claims for service-connected disability compensation. He is a member of the board of directors of, and storyteller with, 2nd Story, an organization that builds community and promotes diversity and inclusion through the power of empathy and personal stories. His story, "Heart of Nowhere," is available as a podcast on 2nd Story's website, and tells of his unique experiences as a soldier in Afghanistan.