

## Brian L. Eftink

Of Counsel



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**Providing innovative legal solutions for our clients to help them achieve their business goals brings me significant enjoyment. I feel invigorated when faced with obstacles and am motivated to work fiercely for our clients to provide successful solutions.**

With a decade of experience as a transactional business attorney and shareholder in a mid-size law firm, coupled with more than 10 years of experience as regional general counsel for a global company, Brian Eftink has an innate business perspective and solution-focused mindset that allows him to address legal issues from the client's point of view. Working inside a business environment where he was responsible for managing legal expenses for the region and identifying creative, cost-effective business solutions gave Brian the advantage of understanding concerns from the client's perspective when navigating the complexity of legal fees. In addition, working as the corporate secretary for five subsidiaries and serving on the company's executive management team has equipped Brian to assist in-house lawyers with delivering challenging messages that provide proposed solutions while being sensitive to the company's internal political climate. Brian provides a sophisticated level of advice to his clients, no matter where the company is in the life cycle of its business. He has seen almost every issue imaginable and has a proven track record of resolving to preserve the parties' relationships while simultaneously saving the business money. His strong background in commercial and corporate matters, regulatory investigations and related matters, the negotiation of sales and purchase agreements, construction law, state and local tax, real estate, antitrust issues, incentive negotiations, and other business transactions, coupled with his involvement with protracted litigation and arbitration matters has given Brian a heightened appreciation concerning the value of properly-drafted contracts and an ability to devise out-of-the-box business solutions.

Brian is no stranger to managing multifaceted legal matters. For many years, he assisted a global chemical manufacturing company with all aspects of a multiphase greenfield investment in excess of \$2.5 billion, including a \$100 million+ expansion, the creation and implementation of the company's legal procedures and other policies, and the negotiation of international sales agreements, trade issues, and dispute resolutions. One of the most valuable lessons learned has been the importance of proactive measures, such as internal legal training and proper documentation, to avoid adversarial issues and, when unavoidable, to address the matters prior to the development of costly

### Services

- Business
- Business Organizations and Planning
- Commercial Contracts
- Construction and Design
- Corporate Governance and Risk Management
- Financial Services
- General Counsel
- Real Estate

### Industries

- Chemical
- Construction
- Food and Beverage
- Manufacturing
- Transportation and Logistics

### Admissions

- Georgia
- Tennessee

### Education

- J.D., Vanderbilt University Law School, 2000
- B.A., Vanderbilt University, 1996

litigation. No matter the situation, Brian possesses a diverse skill set and a business and legal background that allows him to generate success together with his clients.

## Experience

Closely involved in the acquisition of an FDA-regulated facility

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Draft and review commercial sales and purchase agreements

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Negotiate creative financing structures and incentive agreements to offset investment costs for new and expanding projects

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Utilize experience with small and large construction projects, including the preparation of custom construction documents for a multibillion-dollar facility, and assist with ongoing issues to reduce cost overruns related to change orders and costs related to construction disputes

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Assist with state and local tax matters as well as regulatory issues with state and local authorities

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Negotiation of sales and purchase agreements, construction law, state and local tax, and real estate matters

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Assist with corporate governance matters, including the preparation of organizational documents, resolutions, board meetings, and other corporate documents

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Educate managers and employees on legal topics through the development of and instruction on customized training curriculum targeting specific issues affecting business, such as the impact of written communications in litigation, the operation of the Uniform Commercial Code in commercial transactions, the importance of a proper response to potential litigation, and the need for early involvement of the legal department

## Associations

### Professional

- Association of Corporate Counsel, Tennessee Chapter
- Associated General Contractors of East Tennessee
- Chattanooga Regional Manufacturers Association
- Tennessee Association of Construction Counsel

### Bar Associations

- Tennessee Bar Association
- Chattanooga Bar Association

## Noteworthy

- Tennessee Delegation for 2009 Trade Mission to China (Led by Gov. Phil Bredesen), Member
- Tennessee Delegation for 2007 Trade Mission to China (Led by Gov. Phil Bredesen), Member

## Community

- Lifespring Community Health, Former Board Member
- Bethany Christian Services, Former Board Chair

## Sidebar

In his free time, Brian enjoys camping with his children, trail running, listening to audiobooks, reading, and traveling. Brian is also quite the storyteller. One might call him the Forrest Gump of the firm. When you run into Brian, be sure to ask him how he came face-to-face and met Pope John Paul II.