



## Eiko L. Grieger

### Counsel

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## OVERVIEW

Eiko Grieger is a counsel in the firm's Tokyo office and member of the banking and asset finance practice group, with a focus on aircraft, asset, equipment, and transport finance as well as infrastructure and acquisition finance. He has comprehensive experience in various kinds of complex domestic and cross-border transactions in Europe and Japan involving aircraft, rail, IT equipment, infrastructure, and leasing assets. He advises banks, financial institutions, investors, closed-end investment funds, borrowers, high-net-worth individuals, and operators, as well as lessors and lessees in the aviation, infrastructure, rail, and public transport industries. He has worked on a variety of financial products, including Japanese operating leases (JOL), Japanese operating leases with call options (JOLCO), operating leases, finance leases, sale and leasebacks and portfolio sales, acquisitions, restructurings, and financings for multiple assets including rolling stock. As a passionate private pilot, he also has first-hand aviation experience.

## PROFESSIONAL BACKGROUND

Eiko joined the firm in January 2009 after working as a lawyer for another major international law firm in the fields of banking and finance. Prior to this, he worked abroad for a leading international consultancy in Japan.

In addition, he is a native German speaker and has practiced in Frankfurt for many years, during which time he advised major global lessors and financial institutions on lease and financing related transactions. As Eiko is also a Japanese speaker, he bridges the Japanese and the international financial markets.

## ACHIEVEMENTS

- Advised on Aviation 100 Asia-Pacific Debt Deal of the Year (2019), Airline Economics
- Advised on Aviation 100 Asia-Pacific Overall Deal of the Year (2019), Airlines Economics
- Advised on "ABS Deal of the Year" Airfinance Journal Global Awards (2019)
- Ranked 2nd in Asia-Pacific, European and Middle Eastern Markets - Airfinance Journal Legal Survey (2019, 2020)

- Listed as a Top Three Law Firm Globally for Aviation Finance in Airfinance Journal's Guide to Aviation Lawyers (2018, 2019, 2020)
- Ranked Top Law Firm by Airfinance Journal based on the number of JOL/JOLCO transactions completed (2017, 2018)

## PROFESSIONAL / CIVIC ACTIVITIES

- International Society of Transport Aircraft Trading (ISTAT)
- German-Japanese Lawyers' Association

## SCHOLARSHIPS

- Graduate of the German Academic Exchange Service (DAAD) scholarship "Language and Practical Training in Japan." (2000-2002)

## SPEAKING ENGAGEMENTS

- Contribution to "Tokyo AirFinance Engine Roundtable" 2017

## EDUCATION

- Second Legal State Exam, Higher Regional Court of Hamburg, 2005
- First Legal State Exam, University of Konstanz School of Law, 2000
- Magister Juris, University of Konstanz School of Law, 2000

## LANGUAGES

- English
- German
- Japanese

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 18 January 2019, Cleared to Land: Aviation Newsletter

## OTHER PUBLICATIONS

- UAE: More Gold From the Desert, Cleared to Land, K&L Gates Aviation Newsletter, January 2019

- Contribution on legal aspects of engine financing to "Tokyo Engine Roundtable 2017: Leasing demand grows", *AirFinance Journal* May 2017

## NEWS & EVENTS

- 16 July 2021, *AirFinance Journal* Recognizes K&L Gates as a Top Law Firm in 2021 Legal Survey and as a 2021 Deal of the Year Award Winner (*Rankings & Recognitions*)
- 30 July 2020, *AirFinance Journal* Ranks K&L Gates a Top Law Firm in 2020 Legal Survey (*Rankings & Recognitions*)
- 1 July 2020, K&L Gates Aviation Finance Practice Recognized with Multiple Deal of the Year Honors During *Airfinance Journal Awards (Rankings & Recognitions)*
- 12 June 2019, K&L Gates Assists on First-of-its-Kind Japanese Operating Lease Asset-Backed Security Transaction (*Press Release*)
- 6 February 2019, Legal 500 Recognizes K&L Gates in 2019 Asia Pacific Guide (*Press Release*)
- 18 April 2018, *Airfinance Journal* Ranks K&L Gates as Top Law Firm for 2017 JOL/JOLCO Transactions (*Press Release*)
- 4 October 2017, K&L Gates Advises on Tokyo Century Corporation (*Noteworthy Work*)
- 6 June 2016, K&L Gates Advises European Locomotive Leasing on Follow-up Financing with International Bank Consortium (*Press Release*)

## AREAS OF FOCUS

- Aviation Finance
- Corporate and Acquisition Finance
- Fintech Lending
- Rail Finance
- Real Estate Finance

## INDUSTRIES

- Artificial Intelligence and Machine Learning
- Aviation
- Financial Services
- Fintech

- Technology
- Transportation and Logistics

## REPRESENTATIVE EXPERIENCE

### Acting for Lessors

- Represented JP Lease Products & Services Co., Ltd. (“JP Lease”) and Stratos Aircraft Management (“Stratos”) on a first-of-its-kind “JOL AIR 2019-1” aircraft lease asset-backed security (ABS) transaction in which JP Lease acquired 15 aircraft with an aggregate value of US\$683.2 million from GE Capital Aviation Services and Pembroke Capital Aircraft, among others, involving 11 lessees in 10 countries across three continents.
- Represented Tokyo Century Corporation (formerly Century Tokyo Leasing Corporation) (“TC”) with its acquisition of 20% U.S. based aircraft leasing company Aviation Capital Group (“ACG”). Prior to the 20% acquisition by TC, ACG was a 100% subsidiary of Pacific Life Insurance. ACG’s current portfolio is around 270 aircraft (mostly narrow-body planes) with plans to increase this to a portfolio of around 440. This deal was awarded ‘Equity Deal of the Year Award’ by Airline Economics in 2017.
- Represented TC in their capacity as a bidder in relation to the purchase of the aircraft-leasing business of CIT Group (“CIT”), the CIT fleet includes in excess of 350 commercial aircraft. We completed due diligence on both the lease and loan portfolio including the provision of a detailed due diligence report with a summary of our findings. The portfolio is estimated to be worth US\$10 billion.
- Advised AerCap as German counsel in connection with multiple aircraft sale and operating lease transactions and on-going aircraft and aviation related matters.
- Advised AerCap on lease extension and amendment agreements for five (5) Airbus A330.
- Advised a leading aircraft lessor in connection with the insolvency of Air Berlin.
- Advised Japanese leading lessor on sale and purchase transactions involving Boeing 737-800 and Embraer ERJ-190 aircraft on lease to KLM/KLM Cityhopper.
- Advised an aircraft lessor in Japan in respect of the sale and purchase of one (1) Boeing 737-8K5 aircraft and the lease of such aircraft to TUIfly.
- Advised a leading aircraft lessor in connection with the proposed refinancing in the form of a securitization of an aircraft fleet, including two Airbus A320.
- Advised major German closed-end funds initiator on a notes program tailored for the financing of three (3) A330-300 aircraft on lease to a major Asian airline.
- Advised a financial investor on the acquisition and financing of two Airbus A320 for a well-known German airline.
- Advised a financial investor in respect to the financing and acquisition of one (1) Boeing 737-8K5 aircraft from an airline and on lease to an airline in the UK.

## Acting for Financiers / Lenders in Respect of Aviation Deals

- Advised TCC as junior lender with respect to a portfolio purchase and financing transaction between AerCap (as seller and continuing servicer) and subsidiaries of DVB and KKR. The syndicate of senior lenders was led by BNP Paribas, Paris. The portfolio comprises aircraft on lease to the following airlines: Norwegian Air International, WestJet, Air Europa, KLM, Air France, Nouvelair, Aerolineas Argentinas, Aegean, Free Bird, T'Way, Garuda Indonesia, Finnair, Air Berlin, Air Transat, Royal Jordanian, Swiss, Brussels Airlines, Boliviana, Xiamen Airlines, P.T. Sriwijaya Air, Comair, Iberia, TAME, Air Asia, Jet2.com, VECA, Hainan Airlines, and EuroAtlantic.
- Advised Deutsche Bank AG in relation to the JOLCO finance of two (2) Boeing 737-800 aircraft on lease to a subsidiary of Financial Products Group and subleased to TUIfly GmbH.
- Advised a US bank on the sale, financing and delivery of two (2) Boeing 737-800 aircraft.
- Advised a leading aircraft lessor and a U.S. top 50 alternative asset managers in relation to the sale and transfer of one Airbus A320-200 on lease to a German airline.
- Advised Landesbank Hessen-Thüringen Girozentrale as lender, arranger and security agent and BayernLB as lender in relation to the € 40 million term loan financing for Spairliners, a joint-venture of Lufthansa Technik AG and Air France SA and the world's leading company for aircraft components for the Airbus A380 and Embraer E-Jet aircraft.
- Advised a bank consortium as lenders in respect of EUR 50 million term facility and a EUR 2.5 million revolving facility to refinance the existing secured term and revolving facilities agreement among Frankfurter Sparkasse, Helaba and Spairliners.
- Advised a United States financial institution on the financing of two (2) Cessna Citation 680 Sovereign business jets.

## JOLCO / JOL Transactions

- Advised Japanese investors in relation to the JOLCO financing of one Airbus A350-900 on lease to a legacy airline in Germany.
- Acted for Financial Products Group (FPG) in relation to multiple JOLCO financing transactions for new built Boeing and Airbus aircraft leased to major European airlines.
- Advised a major Japanese leasing company on multiple JOL transactions involving multiple aircraft and portfolios on lease to Air Asia, Air Canada, Air France, ANA, British Airways, Brussels Airlines, Cathay Pacific, KLM, Emirates, Qatar Airways, Cebu Pacific, Easyjet, Germanwings, Vueling and Wizz Air.
- Advised a major Japanese leasing company on JOLCO transactions involving Boeing 737-800 and B737 Max 8 aircraft on lease to COPA; multiple B737-800 for Jet2; the first brand new (2) Airbus A320neo for Lufthansa; A319 for Germanwings and B737 Max 8 for Royal Air Morocco.
- Advised a major Japanese leasing company on JOLCO transactions involving fourteen (14) B737-800 on lease to Jet2; four (4) A320neo for SAS Scandinavian Airlines, a B787-9 and the first A350-1000 for Virgin Atlantic.

- Advised Japanese investors in relation to the JOL financings for Airbus aircraft on lease to ANA, Boeing aircraft on lease to TUIfly and Turkish Airlines.
- Acted for Sumitomo Mitsui Finance and Leasing Company, Ltd. in relation to multiple JOLCO financing transactions including unwinds to major legacy airlines worldwide.
- Advised Japanese investors on the conclusion of JOLCO financings for four (4) Airbus A320-214s for a major German airline.
- Advised a major Japanese leasing company on unwinding JOLCO transactions involving three (3) Airbus A318 aircraft on lease to Air France.

### **Acting for Airlines**

- Advised an Asian cargo airline on finance leases for three (3) Boeing 747-8F aircraft.
- Advised a German freight carrier on the financing of a portfolio of in total (13) MD-11 SF aircraft freighters.
- Advised a leading European freight airline on the replacement of two engines under a cross-border aircraft finance transaction.

### **Restructuring**

- Advised a major Japanese leasing company on restructuring Lease transactions for two (2) Boeing B737-800 aircraft on lease to Southwest.
- Advised a major Japanese leasing company on restructuring JOL transactions involving three (3) Embraer ERJ-190 aircraft on lease to KLM Cityhopper.
- Advised a bank and facility and security agent on the restructuring of two (2) Airbus A330-343 aircraft and one (1) Airbus A340-600.

### **Business Jet / Private Jet Transactions**

- Advised a US financial institution on the financing of two Cessna Citation 680 Sovereign Business Jets.
- Advised an ultra-high-net-worth individual in Eastern Europe on the purchase of a Gulfstream G550 private business jet.
- Advised Bank of America in connection with the refinancing of senior secured credit facilities for three (3) Cessna Citation business jets.

### **Other**

- Advised a leading company for aircraft container management services, on the outsourcing and servicing agreement with a leading US airline in relation to 15,000 aircraft containers.
- Advised the leading aircraft container (ULD) management company on its standard ULD management agreements for outsourcing of the total aircraft container fleet for new customers including a major private Indian airline.

- Advised a leading provider for special aircraft cooling container on Master Rental Agreements for cooling container rentals to major airlines.
- Advised a leading company for aircraft container management services, on the draft of a Framework Purchase Agreement for aircraft container (ULD).