

Rising Star: Sullivan & Cromwell's Inosi Nyatta

By Igor Kossov

Law360, New York (May 01, 2014, 9:57 PM ET) -- Sullivan & Cromwell LLP partner Inosi Nyatta's breadth of experience in global deal financing and the esteem of her clients have earned her multiple landmark transactions and a spot on Law360's list of top project finance attorneys under 40.

Born and raised in Nairobi, the 2014 Rising Star grew up seeing many people under the poverty line. She gravitated toward law as a method of social change, with an interest in development financing.

After earning a law degree at the University of Nairobi, Nyatta's life became split between the U.S. and the U.K. She earned a higher law degree apiece in each country and has worked for Sullivan & Cromwell at both locations, currently based in New York.

"I found that working at a U.S. law firm outside of the U.S. allowed me to strengthen my knowledge base in U.S. law as a result of having to explain U.S. legal concepts to clients in other jurisdictions," Nyatta said of her four-and-a-half-year detour to the London office.

With the increasingly global nature of project finance, Nyatta got to work all around the world. She has focused on emerging markets, including Latin America, Africa and Asia, and used her project and leveraged finance skill set in hydrocarbons, mining, infrastructure, power, consumers and other sectors.

However, Nyatta's biggest deals from 2013 were in developed markets: She is currently advising Sempra Energy on financing its massive Cameron LNG export terminal in Hackberry, Louisiana. Sempra is one of the earlier arrivals to the underdeveloped U.S. liquefied natural gas export market, which has been hindered by long construction times and the U.S. requiring special permits to sell to countries without a free trade agreement.

Cameron LNG's financing structure includes financing from multiple sources, such as export credit agencies and the commercial bank market. Sempra got approval to export up to 12 million tons of LNG from the terminal to FTA countries and conditional authorization to export to non-FTA nations in Europe and Asia.

"One of the key trends in project financing is the growth of projects in the U.S. linked to the increase in natural gas production," Nyatta said. "Low natural gas prices and the significant existing gas infrastructure in the U.S. has already begun to drive the development of large projects, such as LNG export terminals."

Her other large gas project was a \$8.5 billion coal seam development on Australia's Curtis Island, working for Australia Pacific LNG. The project is expected to produce 10 million tons of liquefied coal seam gas by mid-2015, nearly all of which will be sold in China. ConocoPhillips and Origin both own 37.5 percent, and China Petrochemical Corp., known as Sinopec, owns the remaining 25 percent of the venture.

Far from being focused only on LNG, Nyatta represented the Barrick Gold Corp., the world's biggest gold producer in its \$3 billion senior notes offering. She also helped GETCO acquire Knight Capital for \$1.4 billion by arranging a bank loan transaction and a high-yield bond and assisted the Stornoway Diamond Co. with starting its first diamond project in Quebec.

The mining sector has had difficulty tapping the traditional equity and debt markets to develop greenfield projects, especially in the case of junior mining companies, Nyatta said. Finding the solution takes combining private equity capital with creativity: funding structures including royalties, stream arrangements, mezzanine and convertible debt structures and other tools.

"It can be challenging to reconcile these sources of funding and structures with traditional project financing debt if both are features of a project's financing plan. I have been working, and look forward to continue working, with sponsors and lenders to address these issues," Nyatta said.

Despite her youth, Nyatta's thorough understanding of high-yield bonds and multinational regulations, as well as her easygoing demeanor has won her the respect of clients, who call her "extremely intelligent and pleasant to work with," according to the firm. A big part of her work demands the ability to juggle competing objectives and being calm and even-handed in resolving disputes, she said.

When she's not representing the world's energy and mineral suppliers, Nyatta mentors younger lawyers at her firm.

"I particularly look to help young lawyers to develop business judgment and grow and retain intellectual curiosity for what they are doing," she said.

--Editing by Christine Chun.