

FRANCIS FRANK LYMAN

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EMPLOYMENT HISTORY

McCAULEY LYMAN LLC, Washington, DC; Annapolis, MD; Framingham, MA

Principal, 2002 – Present

Private civil law practice, helping clients structure, negotiate, close, and administer complex business transactions, principally in the energy and real estate sectors. Transactional assignments involving asset-backed and real estate-backed financings. Practice includes routine corporate organizational work and real estate transactions.

CHESAPEAKE YACHTS, LLC, Annapolis, MD

President, 1999-2001

Sailboat development company. Took a two-year break to devote full time to developing *ClipperCat*, a new type of sailing catamaran specially designed for the Chesapeake Bay. Exhibited a concept boat at the United States Sailboat Show in 2000 and a production prototype at the 2002 Show. (The boat was favorably reviewed in *Cruising World* and *Chesapeake Bay* magazines.)

COGEN ENERGY TECHNOLOGY, Albany, NY

Chief Operations Officer and General Counsel, 1991 - 1999

As general manager, established field headquarters to coordinate and oversee construction, start-up, and operations, maintained relations with the company's electricity and steam customers, and managed community relations, among myriad other general management activities. Managed day-to-day plant operations and maintenance, fuel acquisition and transportation, budget development and administration, product delivery, capital construction, and all other aspects of the business. Represented the company in negotiating and administering its contracts with customers, suppliers, and lenders and in its relations with neighbors and local government.

As general counsel, advised the company's board and represented the company in all of the company's legal matters, including financings, procurement, and other contracts; corporate governance; tax (including income, real estate, franchise, excise, and employment taxes at the local, state, and Federal levels); environmental regulation (including air emissions, chemical and thermal discharges, and Superfund issues); energy regulation; employment law; and litigation. Represented the company in negotiating and administering its contracts with customers and suppliers, including banks. Represented the company at the New York Public Service Commission and in special negotiations with power companies and the New York Public Service Commission in connection with the restructuring of the New York State utility industry. Retained and supervised outside counsel.

Led restructuring negotiations between Niagara Mohawk Power Corporation and its independent power suppliers. The restructuring resulted in the largest below-investment-grade debt issue then to date (about \$4.5 billion), saved Niagara Mohawk from bankruptcy, and assured the continuity of the affected independent power producers. After industry restructuring, represented the company in the sale of its assets in a friendly acquisition by a large Canadian energy firm.

NIXON, HARGRAVE, DEVANS & DOYLE, Washington DC & Arlington, VA

Of Counsel, 1983 - 1990

LYMAN & SHAW, Washington DC & Arlington, VA

Partner, 1983 - 1987

LEBOEUF, LAMB, LEIBY & MACRAE, Washington DC

Associate, 1980 - 1983

In general commercial practice, concentrating in energy regulation and project finance, principally in oil- and gas-cogeneration matters, but also including nuclear, coal, hydroelectric, municipal solid waste, and geothermal resources. Counseled and represented individuals and businesses real estate and other general civil law matters, including contracts, employment law, real estate law, zoning, and business formation and governance.

DEPARTMENT OF ENERGY, New York, NY & Washington, D.C.

Federal Energy Office, Federal Energy Administration, 1972 - 1980

As operations director during the Oil Embargo of 1973, managed the allocation of oil products during the embargo in U.S. Federal Region II (New York, New Jersey, U.S. Virgin Islands, and Puerto Rico). In 1975, directed storage development operations to design and build new storage for the U.S. Strategic Petroleum Reserve. Upon the establishment of the U.S. Energy Department as a cabinet level agency, served as executive assistant to the deputy assistant secretary responsible for commercializing emerging energy technologies.

MOBIL OIL CORPORATION, Syracuse, NY

Assistant Plant Manager, 1969 - 1970

Joined Mobil's New York State Division as a supply and distribution management trainee. Supervised bulk plant storage & distribution operations at Mobil's Syracuse bulk products plant.

U.S ARMY, U.S. & Germany

Infantry Operations Officer, 1966 - 1969

Attended U.S. Army schools and served in an infantry battalion in Germany as platoon leader, assistant operations officer, and operations officer (S-3). Planned and supervised the battalion's garrison training and war plans. Also planned and managed the deployment and operations of the battalion in the field.

EDUCATION

The George Washington University, Washington, D.C.

Juris Doctor, *with honors*, 1979

State University of New York, Plattsburgh, NY

Masters of Art in East Asian & East European History, *cum laude*, 1971

Army Infantry Officer Candidate School, Fort Benning, GA

Distinguished Graduate, 1967.

Manhattan College, New York, NY

Bachelor of Science in History, 1966

ADMITTED TO THE UNITED STATES SUPREME COURT, AND IN MARYLAND, VIRGINIA, NEW YORK, AND THE DISTRICT OF COLUMBIA.