

Richard A. Blunk

President, Richard A. Blunk, P.C.
Managing Director and General Counsel, Thermopylae Ventures, LLC
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PROFESSIONAL EXPERIENCE

Investment Activities (January 2008 to present)

Managing Director and General Counsel, Thermopylae Ventures, LLC www.thermopylaeventures.com

- Current interests include alternative litigation finance, cybersecurity and database management, EB-5 financing, fire retardants, Internet addresses investments and transactional insurance, sports medicine and vocational rehabilitation equipment sales.

Prior Holdings/Transactions

- Acquisition, redevelopment and sale of numerous real estate projects, including apartment complexes and office buildings
- Originated, structured, negotiated and closed “transport for equity” transaction between national internet service provider and early commercial WIFI provider
- Developed strategic alliances with Intel, Cisco, IBM, international airlines and various national hotel chains to deliver WIFI to airports and hotels
- Successful exits from Blockbuster Video, Boston Market and Einstein Bros. Bagels
- Raised \$15M sidecar fund for venture capital fund formed by former Apple CEO Gil Amelio

Corporate and Private Legal Practice (1981- Present) www.blunklaw.com

- General Counsel for various public and private investment, commercial lending, technology, restaurant and aviation companies in Dallas/Fort Worth
- Managed aggregate \$21M dollar legal budgets and ten professionals in legal, real estate, regulatory compliance, risk management and human resources

Commercial Lending

- Structured, negotiated and closed in excess of \$150M in asset-based commercial loans, including \$20M loan to aircraft leasing company and over \$15M to regional paint producer

Investments

- Managed a team of nine financial analysts in reviewing investments, commercial loans, capital market transactions, more than \$500M in distressed loan portfolio investments, purchase of \$2B in distressed, secondary bank debt and \$1.5B debtor-in-possession loan
- Member of transaction team that negotiated and documented the acquisition of two failed banks from the FDIC

Intellectual Property

- Developed overall intellectual property protection program for several technology companies
- Co-Chair of Patent Committee that implemented appropriate compliance and protective infrastructure, policies and procedures for current and developing patent portfolio
- Managed the completion and filing of five patent applications and four patent infringement lawsuits in 30 days
- Managed domestic and international trademark portfolio

Legal Department Management

- Successfully reduced prior spending on outside counsel by an average of 27% in the first year in each new General Counsel position
- Eliminated potential criminal and civil exposure for directors and corporate officers arising from non-compliance with Consumer Product Safety Commission regulations
- Successfully resolved mediation, arbitration and litigation of age and sexual discrimination, anti-trust, bankruptcy, breach of telecommunication contract, computer outsourcing, lease disputes, premises liability, right to privacy, sexual harassment and trade secrets misappropriation
- Identified and collected \$750K from insurance company in Hurricane Katrina property damage
- Implemented operational changes that reduced number of premises liability and related operational claims (originally 1,000+/- per year) by 17% while obtaining a 22% reduction in average final settlement

Private Equity and Venture Capital

- Analyzed, negotiated and closed an “A Round” non-control investment in a cloud-based technology company, an “A Round” non-control investment in an EB-5 investment fund aggregator and a “B Round” non-control investment in sports medicine technology company
- Private equity fund formation experience in real estate venture
- Structured and managed securities compliance initiatives, such as “Sarbanes-Oxley lite” compliance program, for “fundless” private equity sponsor

Real Estate

- Structured and closed acquisition and disposition of real estate valued in excess of \$200M
- Represented seller in \$250M sale of medical campus and purchaser in \$29M acquisition of medical office building
- Extensive real estate acquisition, financing, renovation, management, leasing and disposition experience in raw land, office, retail, warehouse and multi-family projects
- Managed real estate portfolio of 300+ locations (expansions as well as closings) while structuring national restaurant remodeling program
- Point person for commercial office and hotel investments in Bulgaria, Japan and South Korea

Restructuring and Workout Practice

- Significant commercial loan restructuring experience involving more than \$ 250M in bad loans
- Counseled an aviation firm in a successful 35% reduction in its union work force
- Managed liquidation of three portfolios of Chinese distressed residential property debt

Securities

- Front line responsibility for SEC filings and SOX compliance for two publicly traded companies
- Successfully resolved SEC and internal investigations of a publicly traded company
- Managed trading policy as well as various option and other incentive plans

Technology

- General Counsel for technology incubator that provided outsourced legal, accounting, corporate strategy and capital raising support for 41 early stage technology companies
- Represented low energy data storage company in research and development, manufacturing, licensing, distribution, employee and independent contractor matters as well as development and implementation of overall intellectual property protection program

EDUCATION

The University of Texas at Austin -- JD/MBA (finance) 1979/1981

- Graduated With Honors (top 13%) from University of Texas School of Law
- Runner-up for the Outstanding Graduate Business Student Award
- Securities Analyst for the Texas State Securities Board while completing MBA program

The University of Nebraska at Lincoln – BA, psychology, philosophy and English (1971-1976)

- Phi Beta Kappa, Summa Cum Laude graduate
- President of Senior Men's Honorary Society (deciding vote to admit coeds per Title VII)
- Published Senior's Honors Thesis "Persuasion During the Voir Dire" in Psychology in the Legal Process (1976)

HONORS AND AWARDS

- “Outstanding General Counsel or Chief Legal Officer in DFW Metroplex – Solo,” Awarded by Association of Corporate Counsel and D CEO Magazine (2014)

PUBLICATIONS

- R. Blunk & L. King, The NAIC Insurance Data Security Model Law: Less is More, Bloomberg/BNA Cybersecurity Reporter (publication scheduled for August 22, 2016)
- C. Soderstrom & R. Blunk, “How One of DFW’s Leading Investment Firms Judges Healthcare Startups, DHealthcareDaily.com (August 11, 2016), available at <http://healthcare.dmagazine.com/2016/08/11/how-one-of-dfws-leading-investment-firms-judges-healthcare-startups>
- C. Soderstrom & R. Blunk, “Why Lawyers, Investors Analyze Startups in Much the Same Way, Dallas Innovates (August 3, 2016), available at <http://www.dallasinnovates.com/why-lawyers-investors-analyze-startups-in-much-the-same-way>.
- R. Blunk, “Don’t Overlook Commercial General Liability Insurance to Defend a Data Breach,” 2 The Cybersecurity Law Report 9 (April 27, 2016)
- R. Blunk & E. Armstrong, “Analyzing Whether HIPAA’s “Industry Standard” Means You’re Safe From Cyber Attacks,” DHealthcareDaily.com (April 19, 2016), available at <http://healthcare.dmagazine.com/2016/04/19/analyzing-whether-hipaas-industry-standard-means-youre-safe-from-cyber-attacks>
- R. Blunk & E. Armstrong, “BNA Insights: Basel III Cybersecurity Requirements of Data Storage,” 106 BNA’s Banking Report 13 (March 28, 2016)
- R. Blunk & L. Harris, “HIPAA Data Storage Considerations to Protect Patient Records,” 8 Health IT Law & Industry Report 11 (March 14, 2016)

- R. Blunk, “An Overview of FTC Hot Buttons in Cybersecurity Programs for 2016,” 15 Privacy and Security Law Report 12 (January 4, 2016)
- R. Blunk, B. Setnick & S. Blick, “Transactional Insurance for the “Grey Market” in Internet Addresses,” 20 Electronic Commerce & Law Report 1725 (December 16, 2015)
- E. Baldwin & R. Blunk, “How to Finance Your Plaintiff’s Firm,” available at <http://legalfundingcentral.com/lfc360/new/finance-plaintiffs-firm> Legal Funding Central (January 6, 2015)
- R. Blunk, A Hitchhiker’s Guide to Legal Finance in Aggregate Claims,” available at <http://www.legalfundingcentral.com/lfc360/new/hitchhikers-guide-to-legal-finance-in-aggregate-claims> (November 25, 2014)
- R. Blunk, “Risk-Return Profiles in Alternative Litigation Finance,” available at <http://legalfinancejournal.com/risk-return-profiles-in-alternative-litigation-finance-investments> (October 9, 2014)
- R. Blunk & J. Shumway, “Stay Alert to Avoid Liability for Data Breaches, ” Dallas Bar Association Headnotes (October 2014)
- L. Bittle & R. Blunk, “Shifting Tides in Commercial Alternative Litigation Finance, “ ABA Tort Trial and Insurance Practice Section, Insurance Coverage Litigation Newsletter (Summer 2014), *reprinted in* Vol.78, No 10 Tex. B. J. 776 (November 21015)
- R. Blunk, “Have the States Properly Addressed the Evils of Consumer Litigation Finance?” available at <http://litigationfinancecontract.com/have-the-states-properly-addressed-the-evils-of-consumer-litigation-finance> (January 20, 2014)
- R. Blunk, “Surviving the Chapter 11 Process,” Texas Lawyer, (September 6, 2004)
- R. Blunk, “Proactive Protection for Today’s Telecom Company,” Texas Lawyer (July 7, 2003)
- R. Blunk, “Texas Articles of Incorporation: Is the Statutory Close Corporation Format Viable?” 34 Southwestern Law Journal 941 (1980-1981), *reprinted in* 44 Texas Bar Journal 129 (1981)
- R. Blunk, “A Review of the Literature on Defensive Tactics to Surprise Cash Tender Offers,” 13 Creighton Law Review 909 (1979-1980)
- R. Blunk & B. Sales, “Persuasion During the Voir Dire,” published in Psychology and the Legal Process (1976)

PHILANTHROPY

- Established and funded the “Bruce Sales Excellence in Psychology Scholarship” at the University of Nebraska at Lincoln (2014)
- Fundraiser for Dallas Chapter of Folds of Honor

PROFESSIONAL ASSOCIATIONS

- Texas Bar Association
- Dallas Bar Association
- Board of Advisors, Dallas Innovates
- Board of Advisors, Entrepreneurship Legal Clinic, University of Nebraska College of Law
- Dallas Business Club General Counsel 2011- 2012
- Contributing Editor, DHealthcareDaily.com
- Contributing Editor, DRealEstateDaily.com
- Contributing Editors, dallasinnovates.com

COMMUNITY INVOLVEMENT

- Leadership Dallas Class of 1996
- Cultural Affairs Committee, City of Dallas (1994 - 1995 term)
- Board of Directors, North Dallas Chamber of Commerce (1992 - 1993 term)
- Cable Access Committee, City of Dallas (1992 - 1993 term)