

A
NATURAL
RESOURCE.

Mildwaters
CONSULTING LLP

DR KEN MILDWATERS

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Dr Mildwaters was a partner in leading law firms in Great Britain, Continental Europe and Australia, general counsel at Guinness plc and Diageo plc and a partner in investment bank Babcock and Brown Europe, before he established his own firm, Mildwaters Consulting LLP, specialising in the natural resources sector.

Dr Mildwaters travels widely, running workshops around the world and presenting papers on natural resources law, joint ventures, joint operating agreements, contract law, mergers and acquisitions - all areas in which he is an acknowledged international expert.



THE NATURAL RESOURCE SECTOR IS AN INDUSTRY ALONE, UNLIKE ANY OTHER. IT OFFERS ITS OWN POTENTIAL REWARDS AND PITFALLS, AND SETS ITS OWN CHALLENGES TO THOSE WHO SEEK TO PROSPER FROM ITS HIDDEN WEALTH. SPECIAL CHALLENGES REQUIRE SPECIAL KNOWLEDGE, FLAIR AND EXPERIENCE. THIS IS THE AREA IN WHICH MILDWATERS CONSULTING HAS BUILT ITS BUSINESS, HONED ITS SKILLS AND ESTABLISHED ITS REPUTATION.

AN EXCLUSIVE FOCUS ON NATURAL RESOURCES.

“We found invaluable the depth of legal knowledge and experience, and the broad network of commercial contacts the practice was able to reference.”

Kevin A Reichelt

Executive Chairman of STI Rail Pty Ltd.

We are a multi-disciplined consultancy with an exclusive focus on the natural resource sector. Strongly law-based, but not law-centric, our approach to challenges facing our clients is to explore a broad range of options, not simply to find the best solution in law. Thus to classify Mildwaters Consulting simply as a law firm would be to seriously understate the value of the comprehensive range of services we provide to our clients.

Although we have many ways of approaching a problem, and many tools to bring to bear, we have only one goal - to ensure that our clients are successful. Whether this involves a simple legal solution, a complex negotiation or an approach completely from left field, we will weigh the options, carefully assess the benefits and possible downsides, then structure a strategy, which will be implemented with a single-mindedness and enthusiasm that exemplify the Mildwaters way.

Our high success rate is predicated on our chosen strategy of focusing a substantial body of knowledge and experience on a single business area - the natural resource sector. We are building a leadership position in our carefully-defined market.



**POINTS OF
DIFFERENCE:**
FLEXIBILITY
KNOWLEDGE
EXPERIENCE

The key points of difference we offer our clients are our flexibility, and the breadth of knowledge, experience and services we can bring to bear on an issue.

“Flexibility” refers to our willingness to challenge the status quo and think outside the box. Working rigidly within the framework of the law does not require creativity or business flair. It simply requires a good memory. A strategy based on law alone will often fail to produce the required result in a complex commercial situation, unless no serious challenge existed in the first place.

“We need advisers who think on their feet, and see and understand the big picture before we take the next step.”

Dr Osman Shahenshah

Chief Executive Officer and Director
Afren PLC

“Breadth” reflects the holistic nature of our service – our ability to provide the complete range of skills needed to tackle a complex issue, through our own resources and our considerable business network. This enables us to carefully coordinate every aspect of a strategy without communication breakdowns, and to uniformly high quality standards.

“They can look ahead to the key challenges that will arise, identify key external experts across law firms, investment banks and consulting firms, and assemble the best teams.”

Dr David Lax

Managing Principal, Lax Sebenius LLC
Former Professor, Harvard Business School
Co-Author, The Manager as Negotiator
Co-Author, 3-D Negotiation

Accordingly, we have consciously complemented our unparalleled legal knowledge base in the natural resource sector with a level of commercial experience and nous seldom encountered in a law firm, attributes we have developed and honed over many years’ experience.

Although “unique” is arguably one of the most over-worked - and misused - words in the English language, a long list of major resource sector clients apply it with conviction to the comprehensive, diverse and highly specialised skill-sets provided by Mildwaters Consulting, in the industry sector on which we have chosen to focus.

“They also stand out from their peers for their positive ‘problem-solving’ rather than the ‘problem-making’, risk-averse approach of so many commercial lawyers.”

Nicholas Lethbridge

Past Managing Partner
Babcock & Brown, Europe





THE ESSENTIAL INGREDIENT.

We believe we provide our clients with a level of service and support that is not only comprehensive but is, in every sense of the word, unique. Our considerable knowledge and expertise is focused on a single field - the natural resource sector. This single-minded approach has enabled us to build a position of pre-eminence in our chosen sphere.

This explains the belief, expressed by many of our clients, that it is important for them to have Mildwaters Consulting on their team when undertaking any challenging natural resource sector project.

HENCE OUR CLAIM:

If it's tough; if it's complex; if it's vital that you succeed...

Mildwaters Consulting is an option that has to be considered.

THE TEAM APPROACH.

A key element of the Mildwaters Consulting philosophy is to operate as an integral part of the client team, identifying - and helping to control - the “big picture”. The more closely we work with a client, the more effectively we can contribute. We are at our best sitting alongside the management team, developing strategy and playing a hands-on role in its implementation.

“They were very focused on achieving the very best commercial outcome in all their work with the business. They always brought an outstanding grasp of the legal dimensions and a very distinctive and genuine creativity and spark in terms of the commercial, relationship and partnering dimensions, going way beyond great legal advice and being true business partners.”

Stuart Fletcher

International public company senior management executive





DOES SIZE MATTER?

Specialisation and depth of knowledge and experience in a deliberately defined industry sector are cornerstones of the success of Mildwaters Consulting. Directing energy through a narrow focus can create impact out of all proportion to size. A 50kg woman exerts fifteen times more pressure through her stiletto heel than a four-tonne elephant standing on one foot.

OUR CLIENTS.

Our clients span a wide range of entities, from start-up companies to multinationals, but tend to have three things in common:

A clear focus on future development and a determination to be leaders in their chosen fields.

A commitment to succeed in the natural resource sector.

Following a successful initial relationship with Mildwaters Consulting a recognition that our firm will be an integral part of their future plans.

Our international client portfolio embraces:

- Entrepreneurs
- Promoters
- Private and institutional investors
- Pre-IPO companies
- Public companies
- Financial institutions
- Governments and government agencies

Broadly, those clients are active in:

- Oil and gas
- Coal
- Base and precious metals
- Mineral sands and rare earths
- Precious stones
- Conventional, alternative and renewable energy generation





OUR SERVICE PORTFOLIO.

We provide advice and support across a wide range of corporate, commercial and financial activities within the natural resources sector, including:

- Applications, awards, licences, permits, titles and other regulatory issues.
- Exploration, development, production, supply, sales and marketing activities.
- Joint studies and bidding, joint ventures, joint operations, strategic alliances, farm-ins and farm-outs, unitisation.
- Licensing, service, royalty, off-take and lifting, pipeline and transport, infrastructure and abandonment agreements.
- Public and private capital raising, and other forms of debt and equity financing.
- Direct foreign investment.
- Transaction structuring.
- Negotiation support – preparation, at-the-table and follow-through.
- Entity formation and management.
- Mergers and acquisitions, and the disposal, restructuring and consolidation of interests, assets and entities.

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