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## Nexsen Pruet's economic development prowess well-known

BY MIKE FITTS

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When Boeing came to South Carolina to make a development deal, the company hired Nexsen Pruet.

That's the kind of major project that can build the reputation of a firm's economic development practice; but Nexsen Pruet already was

### EXECUTIVE SUMMARY

Law firm was called upon by Boeing to help negotiate its deal in South Carolina.

among the small group of firms that companies turn to when they consider new investments in South Carolina.

Those firms are concentrated in Columbia because much of the business involves dealing with state incentives and regulators, said Burnie Maybank, one of two firm members who head the economic development practice at Nexsen Pruet.

Most, if not all, companies expanding in South Carolina or looking to relocate here pursue some kind of special break or consideration.

The main reason is simple, Maybank said. South Carolina has the nation's highest industrial property tax rate, so companies routinely pursue a fee-in-lieu-of-taxes arrangement with state and local authorities.

"There's always a negotiation," Maybank said.

And sometimes, the firm will be on the other side of a deal, called in as a special counsel to represent the local government in such a negotiation.

Representing Boeing required Nexsen Pruet to help prepare a multifaceted deal in short order.

"It happened very quickly," Maybank said.

Boeing is receiving state incentives, a fee-in-lieu agreement and an economic development bond, among other inducements. Maybank said Boeing also had strong in-house counsel and strong knowledge of state laws.

Economic prospects that aren't the size of Boeing can also create economic development-related legal work across the firm, said April Lucas, who shares leadership of the practice



April Lucas



Burnie Maybank

group with Maybank.

Such deals can tap expertise in related areas, such as real estate, environmental law and government relations, Lucas said.

Much of Nexsen Pruet's clout in economic development could be attributed to Maybank, who has been at the center of economic development discussions in the state for years. Maybank formerly served as head of the state

Department of Revenue and is still remembered at the Statehouse for "Maybank money" — dollars he pledged that the Department of Revenue could bring in if it received additional state funding.

Maybank pledged that the Revenue Department would find at least \$90 million in uncollected taxes if it received an extra \$9 million to fund enforcement. The agency surpassed Maybank's pledge and produced an extra \$104 million in collections.

Today, Maybank is intimately involved in helping craft legislation; he was a member of the panel assembled by House Speaker Bobby Harrell to write job creation legislation that is up for debate in this session. He also is heading a commission established by the Legislature

that is reviewing much of the state tax structure.

Maybank has inside knowledge of the state's incentives because he wrote the law for many of them, said S.C. Chamber of Commerce CEO Otis Rawl.

"You name it, he's been a part of it," Rawl said. On economic deals, Rawl said, "he's telling you exactly what you need to know."

A company's trust of Nexsen Pruet on economic development can also produce legal work for other parts of the practice. Much of the work with Boeing, for example, has shifted away from the economic development practice and into other lines, Maybank said. Companies also have asked Nexsen Pruet for guidance in finding in-state business partners in areas such as construction and engineering, Lucas said.

The economic development practice has felt some of the economic slowdown, as fewer deals are out there to be made, Maybank said. There's been a little pickup of late, but not the across-the-board revival that has been hoped for, Maybank said. The state Commerce Department has said it has numerous deals in the pipeline, though, Lucas said.

"We're hopeful that it will be back," she said.

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part of it."**

**Otis Rawl**  
CEO, S.C. Chamber  
of Commerce