

Matthew A. Hinshaw Partner

Matthew Hinshaw focuses on economic development incentive package structuring and negotiation. Matthew also represents a variety of clients in general corporate and tax matters and assists nonprofit entities with tax and governance issues. He helps clients form new companies, negotiate tax incentive packages, close deals, draft legislation, manage and grow operations, and manage their relationships with local and state government officials. Matthew was privileged to represent clients on two of *Site Selection* magazine's Top 10 Business Deals in North America for 2014 and 2018 – one of very few lawyers in the country to be able to make that claim.

Prior to law school Matthew practiced as a CPA with Ernst & Young where he served primarily bank, insurance company and hedge fund clients through tax return preparation, audit of tax provisions, and consulting engagements.

Notable Matters

Incentive Structuring and Negotiation

- Counsel to Tesla Motors, Inc., an electric automobile manufacturer, in locating a lithium ion battery manufacturing facility to Storey County, Nevada. The Gigafactory will cost \$5 billion to construct and equip and another \$5 billion will be invested during the first 10 years of operations. At full production, the Gigafactory will employ approximately 6,500 people. The team successfully negotiated the incentive package with the State of Nevada and local governments and provided counsel with respect to real estate, corporate, construction, choice of entity and state and local tax issues.
- Counsel to several solar developers on utility-scale projects around the southeastern United States.

Corporate Counsel and Transactions

- Represented a private equity group on a series of acquisitions around the United States as the group pursued a successful roll-up strategy.
- Represented a family office in its investments in various industry sectors around the United States.



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Practices

State & Local Tax
Economic Development
Emerging Growth Companies
Energy
Renewable Energy
Payments
Corporate & Securities

Education

University of Alabama School of Law, 2012, *cum laude*; Honor Court Justice, J.D.
Auburn University, 2007, *magna cum laude*; Senior Honors Scholar; James E. Foy Award; Spade Honorary, B.S. Business Administration (accountancy)

Licensed In

Alabama

Admitted In

United States District Court,
Northern District of Alabama

- Advised a start-up in its negotiation of the first ever franchise agreement with a national tech-enabled service provider.

Experience

INCENTIVE STRUCTURING AND NEGOTIATION

Counsel to Tesla Motors, Inc., an electric automobile manufacturer, in locating a lithium ion battery manufacturing facility to Storey County, Nevada. The Gigafactory will cost \$5 billion to construct and equip and another \$5 billion will be invested during the first 10 years of operations. At full production, the Gigafactory will employ approximately 6,500 people. The team successfully negotiated the incentive package with the State of Nevada and the local governments and provided counsel with respect to real estate, corporate, construction, choice of entity and state and local tax issues.

Incentives counsel to Volkswagen Group of America for its \$600 million expansion of the Volkswagen Chattanooga manufacturing plant. The project will add 2,000 jobs to the plant.

Counsel to several solar developers on utility-scale projects around the southeastern United States.

Incentives counsel to one of the largest homebuilders in the United States, PulteGroup, in relocating its corporate headquarters from Detroit to Atlanta.

Represented Shaw Industries in a \$250 million expansion of their Andalusia facility. The project included construction for the expansion, installation of new equipment, and improvements in ergonomics, safety and energy efficiency. Assisted Shaw in negotiating a comprehensive incentives package with the state, county and city.

Counseled Warrior Met Coal on the nearly \$90 million expansion of the Tuscaloosa County No. 4 mine. The team successfully negotiated a tax abatement incentives package for the Tuscaloosa County-based mining concern, which produces metallurgical coal for the steel industry.

Counsel to Spanish automotive supplier Truck & Wheel Group in locating a \$30 million tire and wheel assembly facility in Tuscaloosa County, Alabama, their first facility in the U.S. The facility is one of the most technologically advanced assembly facilities of its kind in the world. The team negotiated the incentives package and provided counsel with respect to real estate, corporate, construction, choice of entity and state and local tax issues.

CORPORATE COUNSEL AND TRANSACTIONS

Represented a transportation technology start-up in contract review and enforcement, choice of entity issues, intellectual property development and

protection, and employment matters.

Represented a software development company in a transaction which resulted in a substantial investment in the company by a third-party. Counsel to the company in on-going strategic decisions and contract matters.

Represented an affiliated group of traditional transportation companies in entity formation, employment and contract matters. Also represented the company in a transaction which resulted in the infusion of significant capital into the business.

Advised a real estate company in a substantial commercial real estate acquisition on an extremely tight schedule.

Represented a private equity group on a series of acquisitions around the United States as the group pursued a successful roll-up strategy.

Represented a family office in its investments in various sectors around the United States.

Advised a technology start-up on privacy, licensing and intellectual property issues in the launch of its new application.

Advised a start-up in its negotiation of the first ever franchise agreement with a national tech-enabled service provider.

Represented a healthcare practice in selling to a private equity firm Incentives counsel to Volkswagen Group of America for its \$600 million expansion of the Volkswagen Chattanooga manufacturing plant. The project will add 2,000 jobs to the plant.

Incentives counsel to one of the largest homebuilders in the United States in relocating its corporate headquarters from Detroit to Atlanta.

Advised a real estate developer in a substantial commercial real estate acquisition on an extremely tight schedule.

Accolades

- Cameron J. Miller Award for Excellence & Community Service, 2018
- Listed in *Best Lawyers: Ones to Watch*, Project Finance Law, 2021-2022
- Listed in *Mid-South Super Lawyers*, "Rising Stars," Business/Corporate, 2017-2021
- Listed in *Birmingham Business Journal*, NextGenBHM: Law Awards, 2021

You May Not Know

In his spare time (read: prior to having children join his family), Matthew completed two Ironman 70.3 triathlons and multiple marathon and half-marathon races.

Professional & Community Activities

American Bar Association

American Institute of Certified Public Accountants

Economic Development Association of Alabama

Economic Development Partnership of Alabama, Strategic Partner

North Alabama Industrial Development Association (NAIDA)

Council on State Taxation, Practitioner Member

Institute for Professionals in Taxation Member

Public Affairs Research Council of Alabama, Roundtable Member

Magic City Woodworks, Board of Directors

Christian Medical Ministry of Alabama, Board of Directors