



Mark A. Imbrogno

Member

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Mark A. Imbrogno is a Member in the Public Finance, Financial Services and Health Care industry groups, focusing primarily on public-private partnerships, municipal and tax-exempt bonds, banking and finance, and government relations. He practices out the Firm's office in Morgantown, West Virginia.

Don't let Mark's easygoing demeanor fool you – he's definitely juggling 10 things, he just never lets it show. Mark routinely serves as bond counsel, underwriter's counsel and issuer's counsel in governmental and non-profit public finance transactions, primarily involving tax-exempt bonds. In addition, he has experience in financing and development of infrastructure, such as water and sewer systems, and economic development projects, including tax increment financing and economic opportunity development districts. He has acted as counsel in commercial loan transactions involving and other financing arrangements for private and non-profit entities. Mark routinely works on transactions in several different industries, including healthcare, higher education, energy, and manufacturing. Mark has experience in securities law, including blue sky filings and preparing offering materials. He regularly drafts legislation for clients, including economic development and public finance legislation authorizing the creation of special districts and the issuance of revenue bonds.

Mark's reputation for being smart, practical, and unflappable led to a short hiatus in his time at Jackson Kelly when he served as Deputy General Counsel to Governor Earl Ray Tomblin and Senior Associate General Counsel at West Virginia University. Mark's involvement in government and the legislative process, including serving as counsel to the West Virginia Senate Finance Committee and Economic Development Committee, makes him the ideal person to guide clients through economic development and public finance projects.

A Charleston native, Mark now lives in Morgantown with his wife, two daughters, and their two dogs. Outside of the office, Mark enjoys going to concerts and Mountaineer games, making homemade pizza, and trying to get his wife to appreciate the music of the Grateful Dead and Phish.

Awards

- Named a West Virginia *Super Lawyers*® *Rising Star* for Government Finance Law (2021)
- Best Lawyers® Morgantown, West Virginia, Public Finance Law (2024)
- Chambers USA Band 1 Attorney for Public Finance (2024), Chambers USA Guide 2024, Banking and Finance Law

Notable Legal Experience

- Served as bond counsel to several public and private universities in tax-exempt bond financings.
- Served as bond counsel on \$1 billion+ state general obligation bonding program for infrastructure.
- Served as bond counsel to state agency in creation of loan program for local government borrowers.

- Served as bond counsel to municipalities, public service districts, and water associations in connection with issuance of water and sewer revenue bonds.
- Served as bond counsel to municipalities and counties for economic development and infrastructure projects funded from tax revenues and enterprise revenues, including tax increment financing and special district excise taxes.
- Served as underwriter's counsel for toll road revenue bonds.
- Served as underwriter's counsel for pension funding revenue bonds.
- Served as underwriter's counsel for tax increment financing bonds.
- Represented non-profit health system in acquisition of emergency medical services entity.
- Represented non-profit health system in acquisition of community and critical access hospitals.
- Served as bond counsel to hospital in connection with acquisition of another hospital.
- Served as underwriter's counsel on health system financings.
- Prepared legislation for resort to allow creation of special district with assessment and fee powers for projects and services.
- Routinely serve as underwriter's and placement agent's counsel on local government bond issues, including lease revenue bonds.
- Served as underwriter's counsel for exempt facility bonds in connection with rare earth mineral recovery project.
- Served as bond counsel to regional airport in connection with enterprise revenue bonds and passenger facility charge projects.

Work History

- Jackson Kelly PLLC (2018-Present)
- West Virginia University, Office of General Counsel, Senior Associate General Counsel (2016-2017)
- West Virginia Office of the Governor, Governor Earl Ray Tomblin, Deputy General Counsel (2014-2016)
- West Virginia Senate Finance Committee and Economic Development Committee, Counsel (2013 Legislative Session)
- West Virginia Legislature Joint Commission on Economic Development, Counsel (2013 Legislative Interims)
- West Virginia Senate Finance Committee and Economic Development Committee, Counsel (2012 Legislative Session)
- West Virginia Legislature Joint Commission on Economic Development and Select Committee on Infrastructure, Counsel (2012 Legislative Interims)
- Jackson Kelly PLLC, Associate (2011-2014)
- Jackson Kelly PLLC, Summer Associate (2010)
- Jackson Kelly PLLC, Summer Associate (2009)

Practices

- Banking & Finance
- Business Law
- Commercial Lending
- Economic Development
- Municipal & Tax-Exempt Bonds
- Opportunity Zones
- Public-Private Partnerships

Industries

- Education

- Financial Services
- Health Care
- Manufacturing
- Public Finance

Education

- University of Louisville Louis D. Brandeis School of Law (J.D., *summa cum laude*, 2011)
- University of Kentucky (B.A., 2002)

Admissions

- West Virginia (2011)
- U.S. District Court, Southern District of West Virginia (2011)

Professional Organizations

- National Association of Bond Lawyers, Member
- West Virginia Infrastructure Jobs and Development Council, Certified Bond Counsel
- American Inns of Court, Judge John A. Field, Jr. Chapter, Member

Speaking Engagements & Publications

Speaking Engagements

- Presenter, "General Overview of FOIA, OGPA, Ethics Act and State Grant Compliance", West Virginia Rural Water Association, Water on the Mountain Conference, Aug. 15, 2023
- Presenter, "Basic Overview of Tax Incremental Financings", West Virginia Economic Development Council, Annual Meeting, September 8, 2022
- Presenter, "Public Project Finance", Greenbrier Valley Airport Board Retreat, October 26, 2021
- Panelist, "Positively WV Small Business MasterMind," InnerAction Media Podcast, Aug. 13, 2021
- Lecturer, "Preparing for Business Growth in a Shale Gas Economy: Economic Incentives," West Virginia CLE: Hot Topics in the Shale Play

Writings and Publications

- Note, Pipedream to Pipeline: Ownership of Kentucky's Subterranean Pore Space for Use in Carbon Capture and Sequestration, 49 U. Louisville L. Rev. 291 (2011)

Community

- Morgantown Area Partnership, Board Member (2019 - present) and Board Chair (2021 and 2022)