

Simpson Thacher Represents KKR Private Equity Investors, L.P. in Investment in Sun Microsystems Convertible Notes

02.14.07



Simpson Thacher represented Kohlberg Kravis Roberts & Co. L.P. (“KKR”), KKR Private Equity Investors, L.P. (“KPE”), a publicly traded fund of KKR, and their affiliates in connection with KPE’s investment in \$700 million aggregate principal amount of convertible senior notes of Sun Microsystems, Inc. (“Sun”). Citibank, N.A. provided financing to KPE and its affiliates in connection with the transaction. The transaction, which closed on January 26, 2007, was KPE’s first solo investment. In connection with the transaction, a nominee of KKR will be presented for appointment to the Sun board of directors shortly following the closing.

The Simpson Thacher team for this transaction included William Dougherty, Doug Bacon, Bryan Yoon (M&A), Michael Nathan (Capital Markets), David Eisenberg, James Cross, Justin Lungstrum, Ursula Mackey (Banking and Credit), Steve Todrys, Marcy Geller, and Kathleen DeLaney (tax). David Sorkin and Joe Kaufman provide ongoing advice to KPE and also assisted with the transaction.

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