



DEREK C. JOHNSTON

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Derek Johnston is a member of Sutherland's Outsourcing and Software Systems Acquisition/Implementation Team. He has more than 15 years of experience. Derek's practice focus has three aspects: customer side offshore and onshore outsourcing transactions including business process outsourcing (BPO), information technology outsourcing (ITO), application development maintenance (AD/M), managed network services (MNS), human resources outsourcing (HRO) and application service provider (ASP) arrangements; software systems acquisition and implementation transactions; and transition services arrangements in merger and acquisition transactions.

PRACTICE FOCUS

Outsourcing
Software Systems Acquisition/
Implementation
Joint Ventures for New Markets
and Shared Services
Arrangements

EDUCATION

J.D., Northwestern University
School of Law, 1994
Editor in Chief, *Journal of
International Law and Business*
B.A., Brown University, 1989

BAR MEMBERSHIPS

Georgia

He has broad experience in the insurance, retail, consumer products, electronics, utility, energy and online data/analytics industries.

The geographical coverage of his engagements includes Argentina, Australia, Brazil, Canada, France, India, Ireland, Hong Kong, Mexico, New Zealand, People's Republic of China, the Philippines, Singapore, Spain, the United Kingdom and the United States.

Before joining Sutherland, Derek was a partner with two international law firms in their outsourcing, software systems integration and capital markets groups. His practice focus at those firms was outsourcing, software systems acquisition/implementation, mergers and acquisitions, corporate governance, and capital markets/private equity groups.

REPRESENTATIVE EXPERIENCE

Derek's experience includes:

- Representing a private-equity-owned provider of merchant processing and related services in the structure and negotiation of an approximately \$500 million offshore/onshore application development and maintenance arrangement with Accenture.
- Representing a Fortune 500 utility company in a multi-billion dollar business process transformation and outsourcing arrangement with IBM covering data center, meter-to-cash operations, finance and accounting, customer contact center, supply chain and human resource functions.
- Representing a Fortune 500 manufacturer of flexible packaging in connection with a global business process transformation arrangement including system application and products enterprise resource planning (SAP ERP) software system development, licensing, integration, maintenance, professional services, training and hosting arrangements.
- Representing a Fortune 500 insurance company in a midrange and network Singapore data center and Beijing disaster-recovery center services outsourcing covering the insurer's European and Asian affiliates' operations.

- Representing a Fortune 500 insurance company in an outsourcing arrangement covering universal life policy administration (including claims management), insurance and annuity policy administration, policyholder service, and print and mail functions.
- Representing a Fortune 500 manufacturer and distributor of consumer, medical and communications devices in a human resources outsourcing including health and welfare administration, pension administration, payroll, recruiting and HRIS functions for more than 30,000 employees and retirees.
- Representing a Fortune 500 manufacturer and distributor of consumer electronics in a \$300 million business process transformation, operations and data center outsourcing arrangement with IBM covering contact center services, customer management, warranty entitlement, field services, parts fulfillment, depot repair/reverse logistics, services contracts and finance and accounting functions.
- Representing a Fortune 500 manufacturer and distributor of consumer electronics in a Human Resources outsourcing including payroll, training, recruiting and HRIS functions.

PROFESSIONAL HONORS AND AWARDS

- Recognized by *Chambers Global: Guide to Leading Business Lawyers* in the area of outsourcing (2009)
- Recognized by *Chambers USA: Guide to Leading Business Lawyers* in the area of business process outsourcing (2008–2009)
- Selected for inclusion in Georgia Super Lawyers® “Rising Stars” (2005–2007)