

Private Equity

Guiding clients throughout the private equity life cycle



Whether you seek to

- form a new private equity fund
- complete a platform acquisition or add-on acquisition
- independently sponsor a business transaction
- sell a portfolio company or divest an existing business or division

our private equity team has the experience, market knowledge, and a practical business-oriented approach to guide you through your transaction to help achieve your business goals.

Life cycle representation

- We provide services to our clients in every stage of the private equity life cycle, including
 - Fund formation, including parallel off-shore feeder funds
 - Platform acquisitions
 - Portfolio company acquisitions and divestitures
 - Venture capital investments, leveraged finance, recapitalizations, M&A
 - General counsel services to portfolio companies
 - Fund exit transactions (including representing management)
- Primary counsel to 20+ funds including on fund formation matters and fund exit transactions
- Primary counsel to portfolio companies, working hand-in-hand with counsel to private equity sponsors to maximize value for each participant in the private equity value chain
- We also collaborate with independent sponsors to facilitate private equity transactions
- 200+ growing technology company clients

Related Practice Areas

Antitrust

Banking & Financial Services

Blockchain & Digital Currency

Broker Dealers & Investment Management Litigation

Business Development Companies

Commercial & Syndicated Lending

Corporate & Securities

Corporate Governance

Cybersecurity & Data Privacy

E-Discovery - Encompass

E-Discovery & Information Governance

Emerging Growth & Venture Capital

Employment & Labor

Executive Compensation, ERISA, Employee Benefits

FinTech

Franchise & Distribution - Corporate

General Counsel Services

Investment Management

Business minded attorneys drive value through understanding your business world

- Our group includes attorneys who have financial and business backgrounds, including having previously served as CEO, COO, General Counsel or other high-level positions in a range of industries
- We leverage this experience to understand your business objectives at the outset of a transaction and to focus on practical, business-oriented solutions to issues that may arise
- Using our market experience advising buyers and sellers, we bring balanced perspectives to coordinate, negotiate, document, and close transactions in an efficient and effective manner
- Ability to draw upon broad interdisciplinary experience from 800+ colleagues across the Nelson Mullins platform (including in antitrust, banking, corporate governance, data security, employee benefits, employment and labor, environmental, finance, healthcare, intellectual property, litigation, privacy, real estate, securities, tax, various other regulatory disciplines)

Our clients span a diverse range of industry sectors

Our clients include public and private companies, investment banking, and management and private equity businesses headquartered in locations across the United States and internationally. We have experience advising clients on private equity transactions across a range of industry sectors, including

- Aerospace and Defense
- Banking
- Biotechnology
- Cloud Services
- Energy
- FinTech
- Healthcare and Health IT
- Insurance
- Manufacturing
- Payment Processing
- Pharmaceutical
- Professional Services
- Retail
- SaaS and Software
- Staffing
- Technology
- Telecom

Litigation

Private Equity

Public Company
Compliance &
Counseling

Real Estate

Securities &
Enforcement

Securities Offerings

Tax

White Collar Defense
& Government
Investigations

Related Industries

Construction

Consumer Products &
Retail

Health Insurance

Healthcare

Hospitality & Tourism

Insurance

Manufacturing

Pharmaceuticals &
Medical Devices

Real Estate

Technology

Transportation

- Trading

Our private equity services help enable clients with the following

- **Market Analysis** – providing insight and advice as to market-based terms, approaches and solutions for all issues involved in a transaction
- **Deal Structure** – providing in-depth analysis and advice with respect to the structure of a transaction, including advice with respect to tax, regulatory and other considerations
- **Project Management** – providing knowledgeable and experienced guidance on the process and timeline of a transaction, including auctions and other processes
- **Due Diligence** – coordinating and performing due diligence for buyers and sellers and helping assess and address legal risks discovered through due diligence
- **Document Preparation and Negotiation** – drafting and negotiating transaction documents, including letters of intent, confidentiality agreements, asset purchase agreements, stock purchase agreements, merger agreements, disclosure schedules, employment agreements, transition services agreements, escrow agreements, financing documents and other ancillary transaction documents
- **Regulatory Issues** – assisting with regulatory issues, filings and approvals, including filings, approvals and discovery reviews and responses under the Hart-Scott-Rodino Act and insurance, telecommunications and other regulatory filings and approvals required for buyers and sellers
- **Post-Closing Representation** – assisting with post-closing issues, including indemnification claims, net working capital adjustments and employment and other transition and integration issues

Why Nelson Mullins?

- **Accountability** – clients receive mergers and acquisitions services from a team of professionals with substantive knowledge and real-world experience, with the accountability and stability of the Nelson Mullins’ law firm.
- **Business mindset** – we bring to clients business and fiscal skills critical to helping clients meet their business objectives.
- **Cost efficiency** – our staffing model includes partner-level attention throughout the engagement while maintaining cost-effective execution with well-trained and experienced associates.

Our clients receive private equity services from a team dedicated to understanding their business needs.

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Formation

- Formed multiple fund of funds with various investment strategies for asset manager with over \$1 billion under management
- Formed multiple growth equity funds for sponsor focused on healthcare IT and franchised businesses
- Formed multiple real estate funds for prolific Atlanta-based real estate developer
- Formed multiple hedge funds for sponsor focused on CMBS and RMBS investments which has grown to over \$5 billion in assets under management
- Formed hedge fund for manager focused on technology-based quantitative strategies
- Formed multiple fund of funds for various registered investment advisers
- Formed multiple buyout funds for middle market sponsors

Sales and Acquisitions

- Numerous domestic and foreign acquisitions by private equity-backed manufacturing companies, ranging in value from \$2.5 million to \$80 million
- Acquisition by a publicly held company in a carve-out acquisition from a private equity-backed seller for \$140 million
- Numerous acquisitions by a private equity-backed aerospace data aggregation company, ranging in value from \$15 million to \$60 million
- Sale of a private technology company to a private equity fund for \$100 million
- Sale of a business (S corp.) to a private equity group
- Representation of independent sponsor in \$12 million platform acquisition of telecommunications business
- Sale of private-equity portfolio telecommunications company to a private equity fund for \$250 million
- Stock sale of a master distributor, supplier and wholesaler of fittings, flanges and valves by a private equity group to a strategic buyer for \$110 million
- Sale of a staffing industry technology business (S corp.) to a private equity group, with a tax-deferred equity rollover by management
- Sale of a business (LLC) that develops healthcare benefits eligibility and selection software to a private-equity backed strategic buyer, after satisfying another potential buyer's right of first refusal