

# FUND FORMATION & INVESTMENT MANAGEMENT

We serve investment fund sponsors, managers, investors, and service providers throughout the fund lifecycle, from fund structuring, marketing, compliance, and operations to investment portfolio diligence, execution, monitoring, and exit.

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We understand the investment fund industry from both a legal and a commercial perspective and have experience with a broad range of domestic and foreign open-end and closed-end vehicles, including private equity funds, hedge funds, structured credit funds, real estate funds, funds-of-funds, and multi-manager/strategy funds.

Our attorneys have represented diverse fund clients ranging from international financial institutions, pension plans, and sovereign wealth funds to family offices, high-net-worth individuals, and boutique first-time fund managers.

## Service Offerings

- Structuring, negotiating, and documenting fund offering terms on behalf of sponsors, managers, and investors
- Devising innovative fund structures that anticipate and accommodate investor preferences and the evolving financial landscapes of developed and emerging markets
- Structuring and negotiating manager-level transactions, such as manager seed investments, manager creation through joint ventures, management team spinouts, and incentive carry plans
- Structuring and negotiating agreements with fund service providers, such as placement agents, prime brokers, auditors, administrators, custodians, and financing counterparties (whether at the sponsor level, fund level, or portfolio company level)
- Advising on regulatory matters, including SEC registration, reporting, and Form ADV filings, compliance programs, business continuity and transition plans, performance history presentation, insider trading, conflicts of interest, fiduciary duties, and other issues arising under the Investment Advisers Act, the Investment Company Act, and federal and state securities laws
- Advising on domestic and international tax issues arising from the tax attributes of the fund investor base, target assets, and operational footprint
- Structuring and negotiating private equity/debt investments (minority and control positions) and exit transactions, such as strategic and financial trade sales, recapitalizations and reorganizations, and initial public offerings (IPOs)

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