

EMERICH F. GUTTER

Member, Corporate

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Emerich Gutter focuses his practice on domestic and international mergers and acquisitions, private equity, venture capital investments, corporate governance, and other corporate matters.

Emerich has substantial experience representing strategic and financial buyers and sellers in a variety of complex business transactions, including mergers, acquisitions, leveraged buyouts, cross-border transactions, venture capital investments, joint ventures, minority investments and carve-out divestitures. His experience spans transactions with valuations ranging from less than \$5 million to well over \$10 billion and in a broad range of industries, such as food, cosmetic and other consumer products, software, packaging, industrial equipment, insurance, healthcare and technology. Emerich also advises clients on a variety of general corporate matters, including corporate governance, the formation and structure of business entities, commercial contracts, executive employment and incentive arrangements, and similar corporate matters.

Prior to joining the firm, Emerich practiced in the Chicago offices of Sidley Austin LLP and DLA Piper LLP.

Notable

- *Best Lawyers in America*, Corporate Law and Mergers and Acquisitions Law "Ones to Watch," 2022

Representative Experience

Notable transactions on which Emerich has recently advised include:

- Represented a private equity fund in its auction and divestiture of a developer of predictive analytics and scientific measures for educational achievement

Capabilities

Corporate Governance & Shareholder Relations

Health Care

Joint Ventures & Strategic Transactions

Mergers & Acquisitions

Private Equity

Securities & Capital Markets

Education

J.D., Boston University School of Law, 2012

B.A., University of North Carolina at Chapel Hill, 2008

Admissions

North Carolina, 2019

Illinois, 2012

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- Represented a private equity fund in its leveraged buyout of an online retail data and analytics software company
- Represented the portfolio company of a private equity fund in its approx. \$167 million carve-out acquisition of a lifestyle media and merchandising company from a publicly traded fashion brand holding company
- Represented a private equity fund in its leveraged buyout of a developer of a digital check-in software for healthcare systems
- Represented the portfolio company of a private equity fund in its bolt-on acquisition of a German developer of e-commerce software
- Represented a manufacturer of healthcare products in its merger with an entity controlled by a private equity fund
- Represented the portfolio company of a private equity fund in its bolt-on acquisition of a developer of online price monitoring software
- Represented a publicly traded residential construction company in its approx. \$80 million acquisition of the assets of a single-family home and townhome builder
- Represented a private equity fund in its platform acquisition of the developer of a digital advocacy software that facilitates grassroots public policy marketing campaigns
- Represented the portfolio company of a private equity fund in its bolt-on acquisition of the intellectual property assets of an outdoor sports and lifestyle company
- Represented a company in government services in its sale to the portfolio company of a private equity fund providing airborne intelligence, surveillance and reconnaissance solutions
- Represented a healthcare payments processing company in its sale to a private equity fund

Transactions on which Emerich advised before joining Moore & Van Allen include:

- Represented a private equity fund in the auction and approx. \$1.1 billion divestiture of a portfolio company in the baked goods industry
- Represented a private equity fund in its approx. \$350 million leveraged buyout of a manufacturer of healthcare products
- Represented a publicly traded beauty products company in its approx. \$600 million joint venture with an e-commerce cosmetics company
- Represented a private equity fund in its approx. \$65 million platform acquisition of a manufacturer of food packaging products
- Represented an industrial conglomerate in its approx. \$1.1 billion cross-border acquisition of the beverage dispense and merchandising divisions of a publicly traded U.K. company
- Represented a publicly traded consumer goods company in its approx. \$13.9 billion merger with a German conglomerate

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- Represented a private equity fund in its approx. \$362 million acquisition of an industrial adhesives and sealants manufacturer
- Represented a publicly traded property and casualty insurance company in its approx. \$330 million stock-for-stock merger with an insurance underwriter
- Represented the portfolio company of a private equity fund in the approx. \$158 million carve-out divestiture of a non-core snacks division to a publicly traded consumer packaged goods company
- Represented a private equity fund in its approx. \$82 million leveraged buyout of a professional employer organization
- Represented a publicly traded trucking and freight company in its approx. \$3 billion tender offer sale to a publicly traded logistics company
- Represented a private equity fund in its approx. \$48 million acquisition of a composite truck body manufacturer
- Represented an industrial conglomerate in its approx. \$25 million acquisition of an Indian manufacturer of water filtration systems
- Represented a publicly traded packaging company in its approx. \$150 million acquisition of a packaging product distributor
- Represented the portfolio company of a private equity fund in numerous bolt-on acquisitions in the industrial equipment sector