

Private Equity & Venture Finance

Our private equity team regularly assists clients in their efforts to raise and invest private equity. We represent both growth-oriented companies and private equity firms in venture capital and other private equity transactions. Our business finance attorneys are involved with all stages of private equity ranging from seed capital to venture capital to mature private equity transactions, including management and other leveraged buyouts and recapitalizations.

We represent angel investors, venture capital and other private equity funds, and mezzanine lenders in evaluating, structuring, negotiating, and documenting their investments and in their due diligence investigations of investment opportunities. As a full service law firm, we draw upon resources in all areas of the firm to assist clients in the due diligence investigations of their potential investments and to develop efficient investment structures.

Representative Experience

Fund Formation

- Represented a Minnesota private equity group in the creation and marketing of its second fund
- Represented a Minnesota private equity group with the wind down of its first fund and the transition of its asset portfolio to a new perpetual private equity fund
- Represented a Minnesota private equity group with the formation of a new perpetual entity structure and the initial acquisition of assets for its portfolio
- Represented a North Dakota venture capital fund with formation and raise of its second fund
- Represented a California private equity fund with its fund formation
- Represented a European-based venture fund with formation of acquisition fund
- Represented a private family office with a \$250 mil commodities fund

- Represented a European-based private equity fund with the formation of a subsidiary in the U.S.

Mergers & Acquisitions

- Outside counsel to numerous venture and private equity funds with due diligence, negotiation, drafting of investment documentation and closing on investments in privately held companies
- Represented a private equity fund in its acquisition of a privately held manufacturer of large commercial trailers
- Represented an East Coast private equity fund in its bid to purchase a national franchisor
- Represented a private equity sponsored manufacturer of industrial valves in its acquisition of a division of a publicly-held company with domestic and international operations
- Represented a private equity sponsored manufacturer of industrial valves in its strategic acquisition of a competing manufacturer of industrial and municipal waste water valves
- Represented a private equity fund in its acquisition of a majority stake of a manufacturer of microbiological diagnostic products
- Represented a private equity sponsored manufacturer of quality control microorganisms products in its strategic acquisition of a competitor
- Represented a private equity group in its acquisition of a privately held manufacturer of vinyl window products

Management Representation

- Represented continuing stockholders and management in the acquisition of a services company in partnership with a private equity group
- Represented a large, privately held automobile repair company in the purchase of the company by a private equity firm in partnership with management
- Represented a management team in a going private transaction where a publicly held company was purchased by a private equity group
- Served as counsel for a high-net-worth individual regarding his angel investments in two innovative technologies. Performed due diligence, including an audit and evaluation of intellectual property protection and procedures; negotiated terms of investment.

Recapitalizations

- Represented multiple private equity-backed portfolio companies in recapitalization transactions paying off and replacing senior and mezzanine lenders and equity participants
- Represented minority private equity owner in acquiring majority ownership of a manufacturer of flexible circuits from previous majority private equity owner