

# Katten

Katten Muchin Rosenman LLP

## PRIVATE FUNDS AND INVESTMENT MANAGEMENT

### Our Clients

Katten advises many of the world's premier domestic and offshore private investment funds, alternative investment managers, investment advisers, commodity pool operators and commodity trading advisors, as well as family offices, investors, administrators, brokers, dealers, insurance companies and international banks to help achieve their business objectives. We assist both first-time and well-established sponsors in the formation of funds in a variety of sectors of the fund industry, including hedge funds, funds of funds, venture capital funds, leveraged buyout funds, mezzanine funds, real estate funds, commodity funds, futures funds, industry-specific funds and liquid alternative funds. We also frequently represent sponsors of real estate and real estate-related discretionary investment funds and regularly advise institutional investors, including large pension funds and insurance companies, in connection with their investments in real estate funds.

### Our Services

Comprised of lawyers in the firm's New York, Chicago, London and Washington, DC offices, we advise fund sponsors in connection with the myriad legal issues and decisions they confront in organizing and running a fund, including structuring and forming the fund and its management entities, drafting the fund's organizational and offering documents, and preparing and negotiating the fund's material contracts. We also represent private

### RECOGNIZED BY

- *Chambers USA*
  - Investment Funds: Hedge Funds (Nationwide) 2018, 2017
- *The Legal 500 United States*
  - Alternative/Hedge Funds 2018, 2017
- *U.S. News – Best Lawyers®* “Best Law Firms”
  - Private Funds/Hedge Funds Law (New York) 2019; (National, Chicago) 2019, 2018



fund clients in connection with financing transactions, including leveraged buyouts, minority investments, public and private exit transactions, recapitalizations, and restructurings. We work with our investor clients to optimize the terms of each investment and to prioritize their goals within the unique framework that each fund presents. By representing numerous institutional investors in a wide variety of fund investments, our attorneys are able to see the market from multiple perspectives. Because we advise both sponsors and investors, we are well-positioned to respond quickly with practical solutions that move deals forward. We understand that each dollar spent on transaction costs is one less dollar available for fund sponsors and limited partners to invest. Our depth of experience, combined with our commitment to efficiency, allows us to deliver high-quality legal services at a lower cost.

Our attorneys also counsel asset managers, hedge funds, private equity funds, real estate investment trusts (REITs) and family offices on a variety of employment and compensation matters. We assist our clients with every aspect of executive employment matters, including negotiating employment agreements, severance agreements, change-in-control agreements, indemnification agreements, deferred compensation arrangements and long-term incentive plans, and advising on retention issues arising out of mergers and acquisitions and restructurings. For hedge fund and private equity managers, we structure employment agreement relationships with their portfolio managers, executives and senior employees.

We often work alongside our clients' legal, operational and technical teams on a variety of information technology projects, including software-as-service and cloud hosting relationships, privacy and data security planning, and data breach responses.

We also work closely with Katten's Trusts and Estates practice to provide sophisticated, cutting-edge estate planning specifically tailored to the particular issues faced by fund managers, such as using derivatives contracts to transfer the economic benefits of carried interests as well as planning for discounting and unified family asset management through the creation of family limited partnerships and limited liability companies.

In addition, Katten attorneys have aggressively and successfully litigated numerous complex, high-stakes matters for our private fund clients. Our litigators understand the full range of financial services and products and are deeply familiar with the compliance and supervisory regimes, capital structures, and real-world business interests of the industry. With focused industry experience and in-depth product knowledge, Katten offers all of our fund and investment management clients pragmatic solutions that enable efficient operations and allow for future growth.