

Private Equity

Clients seek out our advice because we understand the challenges of raising capital and investing in leading-edge industries and entrepreneurial enterprises. We have assisted our clients to successfully navigate the complex legal and regulatory hurdles and challenges to secure the financing they need to build their businesses. We partner with our clients to provide guidance on structuring transactions to longer-term strategic advice on how to make a successful enterprise even stronger.

WeirFoulds' extensive experience on both the investor and company sides of private equity and venture financing deals provides our clients with the sophisticated understanding of markets and the sensitivity to business matters they need to successfully complete their transactions. It also enables us to make introductions that are beneficial to companies in search of funding and to venture capital firms looking for exceptional companies in which to invest.

Our clients include venture and private equity fund investors, angel investors, as well as venture-capital-backed businesses in areas such as computer software, resources, alternative energy, wireless and life sciences. They engage in private equity and venture investments, mergers and acquisitions, leveraged transactions, recapitalizations, and debt financing, including convertible debt and mezzanine financing, strategic relationships and joint ventures. Our clients also take advantage of our securities law capabilities to raise capital through private placements, public offerings and tax structured securities such as flow-through shares.

Our lawyers act for private equity funds, hedge funds, sovereign wealth funds, financial institutions, and institutional and private investors. We advise clients on fund formation, fund acquisitions and divestitures, management buyouts, and other ongoing governance and regulatory matters. We provide advice on investor rights, exit strategies and management compensation. We also represent clients in partnership and shareholder disputes.

We take a multi-disciplinary approach to our private equity files, engaging our corporate, securities, tax, financial service, real estate, banking, technology and IP, and litigation lawyers as necessary to ensure our clients receive excellent advice that is tailored to their needs.

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Areas of Expertise

- Acquisitions
- Buyouts
- Compliance
- Cross-border
- Divestitures
- Due diligence
- Exit rights
- Fund investments
- Governance structure
- Institutional investors
- Investor rights
- Joint ventures
- Management compensation
- Passive and active investments
- Shareholder and partnership disputes
- Tax

Representative Experience

Representative engagements of our investor representation practice include:

- acting for various investment funds in connection with growth-oriented private equity and venture investments in companies in industries as diverse as wireless IT, film distribution, and software and knowledge management applications.
- acting as Canadian counsel to various US-based private equity funds on leveraged acquisitions of Canadian-based businesses in the medical device, transportation, industrial products and consumer products businesses and related leveraged financings.

Representative engagements of our company-side venture investment representation practice include:

- acting for a worldwide publisher of interactive entertainment software in connection with the securing of venture capital

investment and related pre-closing tax planning transactions.

- acting for a wireless original equipment manufacturer in connection with the securing of venture capital investment.
- acting for an alternative energy growth company on start-up and follow-on rounds of equity and convertible debenture financing.

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