

PRIVATE FUNDS

Shutts & Bowen's attorneys have many years of experience serving as counsel to private funds, fund managers, high net-worth individuals and a wide range of institutional investors operating across various industries. Our fund formation professionals provide an integrated approach driven by an understanding of market trends and the technical complexities that come with associated regulatory, tax, and securities law implications.

Our multidisciplinary team of attorneys draws on its knowledge of corporate, securities, finance, real estate, leasing, tax, investment management, mergers and acquisitions, and government relations, in crafting efficient legal solutions for our private fund clients and their portfolio companies.

Whether onshore or offshore, we are prepared to structure a wide variety of fund types and are well-versed in U.S. federal income tax laws related to fund formation, capital-raises, acquisitions, and dispositions.

Members of our team are active in top corporate and industry organizations, including the Association for Corporate Growth, an organization that serves 90,000 investors, executives, lenders, and advisers to growth-focused middle-market companies.

We represent sophisticated real estate funds, hedge funds, private equity funds, credit funds, and venture capital funds, providing the following services:

- Fund formation and structuring, including both purely domestic and onshore/offshore fund structures
- Capital raising/private placements
- Angel financing
- Representation of private funds in connection with investments in, or acquisition/disposition of, portfolio companies
- Representation of domestic and global financial institutions and funds, including documentation of secured revolving credit facilities extended to closed-end and open-end funds and hedge funds
- Compliance with federal and state securities laws
- Stockholder agreements
- Structuring of joint venture arrangements and other complex investment vehicles involving both real estate and non-real estate assets
- Preparation, negotiation and execution of contracts and transaction documents, including multistate purchase and sale agreements, conveyancing documents, and loan documents for private equity lending transactions

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- Due diligence
- Opinion letters
- Tax advice, including identification and quantification of tax exposures
- Business planning
- Corporate governance
- Debt instruments
- Labor and employment counseling, compliance, and litigation
- Advice regarding immigration matters
- Intellectual property protection

Our broad experience representing a wide array of fund sponsors and investors enables us to provide our private fund clients with thoughtful solutions tailored to their individual needs, whether they are established and profitable or exploring an initial fund venture.

Professionals

Rafael A. Aguilar

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