



Private Funds: Investor Representation

We are devoted to helping our clients navigate the evolving legal and economic landscape related to investing in private investment funds.

We represent public pension plans, insurance companies, family offices and other institutional investors in a wide variety of alternative investments, including investments in private equity funds, mezzanine debt funds, infrastructure funds, credit opportunity funds, co-investment funds, funds-of-funds and hedge funds covering a variety of investment strategies. The large volume of fund investments that we review on an annual basis for our clients allows us to share with those clients a unique view as to what terms are “market” for these investments. When assisting clients invest in private investment funds, we are able to connect our clients with other attorneys in the firm to provide counsel and advice on specific fiduciary, tax, ERISA and other related issues.

Some of the services we provide to our clients include:

- Negotiating the terms of fund agreements, subscription agreements, side letters and other fund-related documentation;
- Ongoing support relating to fund investments, including the review and negotiation of co-investments, most favored nation (MFN) elections, amendments and investor letters for credit facilities;
- Advising and negotiating the sale or purchase of private fund interests in the secondary market;
- Assisting clients in implementing the legal review process for new investment programs, such as when clients first allocate to hedge funds or bring private investments in-house from gatekeepers or funds-of-funds;
- Developing the legal framework for specific investment programs, such as emerging manager development programs;
- Providing market data and insight on private investment fund terms; and

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Related Practices

Commercial Litigation and
Alternative Dispute
Resolution
Corporate Finance and
Securities
Employee Benefits and
Executive Compensation
Fintech and Marketplace
Lending
Investment Management
Private Funds: Fund/Sponsor
Representation
Taxation

- Evaluating a client's options regarding the potential breach of contract, fraud or other misconduct by a fund or its affiliates.