

# Asset Management Litigation

## Uniquely positioned to handle disputes specific to asset managers

Proskauer's Asset Management Litigation team focuses on disputes and regulatory matters that are unique to private investment funds, including private equity, venture capital, hedge funds, and other alternative investment vehicles.

Our team's experience in the industry is second to none, based on our longstanding focus in this area and our close collaboration with Proskauer's Private Funds and Hedge Funds practices – which are among the most active and respected in the world at forming and advising private equity, hedge, venture capital, real estate and other funds.

We also work closely with the Firm's related practice groups, including Securities Litigation, White Collar Defense & Investigations, Private Credit Group, Mergers & Acquisitions, and Broker-Dealer & Investment Management Regulation, to provide our fund clients with tailored, cross-disciplinary solutions.

Through this collaborative and multi-disciplinary approach, our team brings unmatched experience in the private funds industry, deep knowledge of the current issues, and creative solutions to our clients' unique legal and business challenges. We represent a wide range of clients across all private investment fund capacities, including funds, fund sponsors, investment advisers, managers, limited partners, and broker-dealers. They call on us to represent them in private and public disputes in all jurisdictions, and in connection with investigations and enforcement actions by the SEC, FINRA, and other federal and state regulators.

In short, we know the legal structures, understand the business strategies and goals, and are uniquely positioned to counsel our fund clients on litigation risk and avoidance and, when necessary, to represent their interests in court or before the regulators.

### Areas of Focus

#### Sponsor-level disputes

Retirements, control contests, break-ups, and separations

Economics, restrictive covenants, and track record

#### Fund-level disputes

Fiduciary duties and obligations

GP and Manager removals and replacements

Wind downs, dissolutions, liquidations, restructurings, and secondary transactions

#### Portfolio company-level disputes

Board director duties and obligations, conflicts of interest, and corporate governance

Fraud, breaches of representations and warranties, and indemnification

Earn-out and milestone disputes

Working capital and purchase price adjustments

Significant securities and commercial litigation

#### Regulatory examinations, investigations, and enforcement

# Private Funds

## Unparalleled insight into market trends, terms and conditions

Our Private Funds Group offers the complete package of services to private funds and investors. We have one of the largest teams of funds lawyers in the industry, with over 180+ lawyers globally focusing on investment funds matters. This includes specialists in regulation, tax, fund finance, financial services, employment, insurance, litigation and risk management. Our group consistently ranks as a top-tier practice in leading industry publications.

[Extensive market intelligence and a proven track record of success.](#) We work with fund sponsors in almost every industry, sector and geography, going beyond fund formation and fund raisings by acting as true business partners with our clients. With Approximately 500 General Partners, 100 Limited Partners, and 65 secondaries clients globally, our experience representing both sponsors and institutional investors across alternative asset classes on a daily basis gives our clients access to our unparalleled insight into current trends, developments, terms and conditions in the private investment funds industry.

[Access to the Proskauer Funds Intelligence Portal, giving competitive insight into the market.](#) A differentiating factor of our Firm is our development of proprietary data and innovative analytics that we share with our lawyers and with our clients. The Proskauer Funds Intelligence Portal is a proprietary database which tracks terms of over 1,700 funds (and growing on a daily basis) across all strategies and jurisdictions. This allows us to easily access the most current market data.

[Best in class for Secondary Transactions.](#) Proven leaders in the Secondaries Market, our team has particular expertise with the complexities involved in structuring and negotiating secondary transactions and fund restructurings, and advises a significant segment of the secondary market. We have experience acquiring and selling portfolios of partnership interests, including some of the largest bulk sales on the secondary market.

### Sponsor representation

- Buyout funds
- Growth capital funds
- Debt, credit, & mezzanine funds
- Venture capital funds
- Real estate funds
- Funds of funds
- Secondary funds
- Hedge funds
- Co-investment funds

### Secondary transactions

- Small and bulk portfolio transactions
- Complex structured and synthetic secondaries
- Direct secondaries
- Tender offers
- End-of-life transactions
- Deferred purchase price & seller finance arrangements
- Leveraged secondaries
- Fund credit facilities

**180+ lawyers** advising manager, investors, advisers and executives active across asset classes

Advised on the formation of over **210 funds** and vehicles with commitments exceeding **\$105 billion**

**635+ secondary transactions** with total deal values over **\$92 billion**

**1050+ primary investments** representing more than **\$26 billion** in commitments

Representative Clients

Buyout	Funds of Funds & Secondary Funds	Credit	Growth Equity	Venture Capital	Primary & Secondary Investments
					
					
					
					
					
					
					
					