

Private Funds

Attorneys in Cohen & Gresser's fund practice have a wealth of experience advising hedge fund and other alternative asset managers on all aspects of their business. We understand the challenges inherent in each stage of the life cycle of a fund manager and its funds, and we tailor our solutions to each client's unique needs. Our team has decades of experience in fund regulation, transactions, real estate, litigation, and regulatory compliance, and is led by the former general counsel of a premier diversified UK hedge fund manager. He also advised on the first NYSE hedge fund manager IPO and held several other senior in-house positions in financial services firms in the UK, U.S., and Spain. We are well-versed in complexities that arise in cross-border matters, and work cohesively across practice areas and geographies. Our comprehensive representation includes:

- Design, structure, and formation of funds
- Manager set up, including structure, fee arrangements, staff compensation and employment arrangements
- Supporting transactions entered into by funds, including private credit, real estate and private equity
- Fund counter-party documentation, including prime brokerage and trading documents
- Side letters and negotiations with investors (especially for private-equity style funds)
- Fund regulation, including relating to the EU's Alternative Investment Fund Managers Directive (AIFMD) and MiFID II, and the U.S. Securities Act of 1933, the U.S. Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisors Act of 1940, among others
- Inside information/MNPI issues in the U.S. and Europe
- Conducting internal investigations
- Defending prosecutions and investigations by both U.S. and UK regulators
- Disputes among partners
- Crafting compliance policies and procedures, both proactively and in response to inquiries from regulators
- Analysis of take-over terms and regulation, covenants and default provisions