Kilpatrick Townsend & Stockton LLP

Investment Management & Broker-Dealer Practice

One of the Largest

investment management practices in the Southeast

Extensive Experience

industry acumen, and practical know-how

Hands-on

accessible partners and attorneys

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Kilpatrick's Investment Management Team draws from a wide range of disciplines and industries to help our clients identify opportunities, manage risks, and create practical, innovative, and cost-effective solutions. We advise on all aspects of fund formation, investment advisory, transactional, regulatory compliance, and enforcement matters, while building longstanding client relationships based on trust and respect."

COMPREHENSIVE APPROACH

Money Matters

With one of the largest practices in the Southeast, Kilpatrick's Investment Management & Broker-Dealer Team provides straightforward, efficient solutions on all aspects of fund formation, investment advisory, transactional, regulatory compliance, and enforcement matters for registered and non-registered individuals and entities. Our attorneys handle the most complex corporate, regulatory enforcement, and litigation matters relating to international, national, and small-firm broker-dealers and their agents and affiliates. We advise a broad client base — investment advisers, broker-dealers, registered persons and professionals appearing before the SEC, mutual funds, ETFs, banks, insurance companies, public and private investment companies, and investment pools of all types, including institutional investment funds and family offices — giving us unique insight to help clients identify opportunities and solutions, manage and anticipate risks, and foster long-term relationships with government regulators, SROs, and policymakers.

Our practice covers a variety of services, including:

- Broker-Dealer
- Hedge Funds
- Investment Advisers
- Mutual Funds, ETFs, Closed-End Funds & UITs
- Private Equity Funds
- Real Estate Funds
- Securities Compliance, Enforcement & Litigation

Broker-Dealer

Our attorneys handle the most complex corporate, regulatory, enforcement, and litigation matters relating to international, national, and regional broker-dealers and their agents and affiliates, such as investment advisers, banks, insurance companies, and public and private investment companies. Our attorneys represent clients in both singular and multi-jurisdictional matters before the SEC, FINRA, and all U.S. states and territories.

Hedge Funds

Our attorneys represent funds, fund managers, and institutional investors in handling all aspects of hedge fund structuring and formation, compliance and ongoing regulation, and regulatory and legal defense. We advise domestic and offshore hedge funds of all sizes, strategies, and structures, including standalone, master-feeder, mini-master, and other fund structures.

Investment Advisors

We represent numerous investment advisers, ranging from newly formed advisers to multi-billion-dollar managers with multiple offices worldwide. We help clients identify applicable investment adviser registration exceptions and exemptions; organize and register new investment advisory firms; buy and sell investment advisory firms; address operational complexities; navigate succession planning; satisfy federal and state compliance requirements; and respond to regulatory examinations, investigations, and proceedings, involving a variety of areas, including conflict of interest, marketing, performance advertising, and anti-fraud requirements.

Mutual Funds, ETFs, Closed-End Funds, Interval Funds, & Unit Investment Trusts (UITs)

Our attorneys represent open-end mutual funds, ETFs, closed-end mutual funds, interval funds, and UITs of all sizes and types on all aspects of fund organization and SEC registration; state blue sky requirements; operational and governance issues; valuation; compliance program implementation; tax matters; reorganizations; and SEC and FINRA examinations, investigations, enforcements, and litigation proceedings. Moreover, we serve as trust counsel, independent trustee counsel, investment adviser counsel, and special counsel.

Private Equity Funds

Our attorneys represent private equity funds, fund managers, and institutional investors in offering a complete range of private equity legal and advisory services. We advise private equity funds of all sizes, strategies, and structures regarding complex securities laws and regulations; federal, state, and local requirements; sophisticated tax and ERISA matters; private equity portfolio company transactions; and SEC and state regulatory examinations, investigations, enforcement, litigation, and arbitration proceedings.

Real Estate Funds

Our team represents public and private real estate funds, fund sponsors, and institutional investors of all sizes and structures in handling all aspects of fund formation, regulatory compliance, tax structuring, and real estate transactions — including single property, multi-property, and blind multi-property funds, as well as public and private REITs.

Institutional Investors

We assist institutional investor clients seeking to invest in Private Funds—including private equity funds, private credit funds, real estate funds, hedge funds, and more—by conducting legal due diligence of the terms and conditions of the proposed investment. This includes:

- Reviewing and analyzing fund's offering documents
- Evaluating and advising on the appropriateness of the terms of investment and fund structure
- Advising on the fund terms' consistency with the market
- Negotiating side letter terms or revisions to the offering documents, as appropriate.

We also assist institutional investor clients seeking to engage investment managers directly, including reviewing and negotiating the terms of Investment Management Agreements.

Securities Compliance, Enforcement & Litigation

Our attorneys represent broker-dealers, investment advisers, banks, investment companies, financial planners, issuers, promoters, and associated individuals in all aspects of federal and state securities regulatory compliance and defense matters before the SEC, CFTC, DOJ, FINRA, NASAA, and all U.S. state securities commissions, attorney generals, and local authorities. We also manage civil litigation matters, criminal proceedings, enforcement risks, and collateral consequences.

Kilpatrick

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