

Hedge, Investment, and Private Equity Funds

Fund managers need strategic, business-focused advice as they navigate high stakes litigation, strategic transactions, government investigations, and increasingly complex business, regulatory, and compliance issues. Jenner & Block's counsel is trusted by leading hedge, investment, and private equity funds facing litigation, transactional, compliance, and regulatory challenges.

We are trusted advisors, shepherding our clients through their most challenging legal and risk-related issues and special asset situations. Our hedge fund and investment fund clients range from some of the largest hedge funds in the world, to small funds engaged in quantitative-based trading, to those focused on distressed investing and turnarounds, venture capital investors, and high-frequency trading platforms. We excel in spotting risks and opportunities, and we bring in the right talent from practices across the firm to offer panoramic, full coverage guidance on the multifaceted issues our clients face.

A Powerhouse Litigation Team

Our renowned litigators combine skillful advocacy, top-tier legal analysis, and creative strategies to achieve our clients' litigation and business goals. We bring deep experience as we help clients navigate fund ownership and founder controversies; fiduciary duty issues; investment, portfolio company, and joint venture disputes; employment disputes; bankruptcies and insolvencies; and more.

Strength in Markets and Trading Litigation

Regardless of market cycle, market participants face costly and reputation-threatening lawsuits. We have been chosen to defend many of the leading cases in the trading and markets area, including civil and criminal proceedings involving alleged manipulation of securities, derivatives and commodities markets, major disruption events in these markets, trade secret disputes, cryptocurrency-related litigation and insolvency proceedings.

Safeguarding Trading Strategies and Methodologies

For investment funds and hedge funds, your intellectual property is among your most valuable assets. We counsel clients proactively to safeguard their trading strategies and methodologies, and other sensitive intellectual property, from internal and external threats. While we work strategically and creatively to avoid litigation, our renowned litigators are prepared to skillfully protect our clients' IP in the courtroom.

Strengthening Compliance and Reducing Risk

We do not merely put out fires, but also create enduring relationships with our clients by identifying and addressing risk areas before they escalate. Our approach is grounded in deep experience, integrity, and respect for the business climate: we understand the economics of this industry and apply our experience to strengthen compliance and governance. When necessary, we skillfully represent clients through regulatory compliance and enforcement actions, including investment disputes involving the US Securities and Exchange Commission.

Clearing the Path for Transactions

Our experienced team counsels investors, private equity, and hedge funds throughout the transaction lifecycle on a wide range of issues, including M&A deals, restructurings, joint ventures, corporate finance, tax, real estate, and more. We also advise clients on ESG-related regulatory requirements, reporting, and disclosure. Working in tandem, our transactional and regulatory lawyers, including a deep bench of former officials from key government entities, deliver the credibility and critical knowledge needed to help clients navigate challenges and seize opportunities.

A Robust Investigations Practice

We regularly represent funds clients in Department of Justice, SEC, and other regulatory investigations into fraud and other misconduct. We also conduct internal investigations, where our independence enables us credibly to investigate and evaluate allegations of director and officer breaches of fiduciary duty, professional malpractice, impropriety, and other wrongdoing.

Bringing a Multifaceted Perspective to Investor and Securities Litigation

With leading trial, investigations, transactional, and bankruptcy capabilities, we offer a multifaceted perspective to clients on both sides of the docket. Including dozens of former prosecutors and senior US Securities and Exchange Commission (SEC) lawyers, our team helps clients navigate the financial and reputational risks and nuanced legal issues that arise in securities litigation.

Experience

Litigation:

- Brookfield Asset Management in a case against AIG concerning interest rate swaps, which the parties resolved for a reported \$600 million gain for our client.
- Fund investors who obtained a \$180 million arbitration award against Highland Capital Management, L.P. for breaches of an agreed Scheme of Liquidation and of fiduciary duty.
- A group of hedge funds who held more than \$1 billion of residential mortgage-backed securities in a challenge to actions taken by the bond insurer, AMBAC.

- Two hedge funds in a case against an Irish bank relating to a portfolio of real estate loans worth billions of dollars.

Investigations:

- Confidential representation of executives at a hedge fund in a USAO SDNY, SEC, and CFTC investigation. This matter involves the implosion of a \$2 billion hedge fund, which has prompted a fast-moving and significant multi-agency investigation and has garnered extensive media coverage.
- Representing significant hedge fund in an SEC investigation with international/cross-border scope into insider trading.

Transactions:

- Represented Diamond Castle Partners on \$2.5 billion acquisition of Multi-Color Corp. by Platinum Equity.
- Represented Performance Equity Management in the formation of a \$650 million venture capital fund of funds; numerous investments in PE and VC funds and numerous direct portfolio company investment transactions.
- Represented Lonza Group in the \$5.5 billion acquisition of Capsugel from KKR; \$1.2 billion acquisition of Arch Chemicals; \$630 million sale of its Water Care business to Platinum Equity and the acquisition of a controlling stake in Octane Biotech.
- Represented Professional Directional Enterprises, Inc., (Pro D), a leading directional driller in the energy space, in its successful recapitalization. In the transaction, SCF Partners acquired a majority interest in Pro D while Diamond Castle Partners retained a minority ownership interest.
- Represented Equity Group Investments / Sam Zell in the \$8.2 billion going-private transaction involving the Tribune Company.
- Represented Bayside Capital in the acquisition of substantially all of the assets of Service Net Solutions.

Co-Chairs



Brian J. Fischer

Co-Chair
bfischer@jenner.com
+1 212 891 1629



Todd C. Toral

Co-Chair
ttoral@jenner.com
+1 213 239 2294



Jason Yardley

Co-Chair
jyardley@jenner.com
+44 330 060 5408

Related Capabilities

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ERISA

Fintech and Crypto Assets

International Arbitration

Investor and Securities Litigation

Life Sciences

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Mergers and Acquisitions

Post-*Chevron* Task Force

Real Estate and Hospitality

Securities and Capital Markets

Sports and Gaming

Tax

Technology

Trademark, Advertising, and Unfair Competition

Transactional