

## PRACTICE CONTACTS

**Jon Kibbe**

212.530.1860  
jkibbe@rkollp.com

**William Q. Orbe**

212.530.1850  
worbe@rkollp.com

## ATTORNEYS IN THIS PRACTICE

Jonas L. Blank  
Scott C. Budlong  
Eva Marie Carney  
Yvonne Chan  
John A. Clark  
Ian Craig  
Sara Cullen  
James D. Cuneo  
Thao Huu Van Do  
Michael Friedman  
Dominique F. Gallacher  
Jennifer K. Grady  
Larry G. Halperin  
Paul B. Haskel  
Jonathan D. Hendin  
Joon P. Hong  
Matthew Hughes  
Ryan C. Jackson  
Igal Katz  
Adele Lee  
Richard J. Lee  
Timothy E. Lin  
Julia Lu  
Victor Ludwig  
Michael D. Mann  
Andrew M. Martin  
Stefan McGrath  
Eric M. O'Meara  
James J. Ohlig  
Alexia Petrou  
Gianna C.T. Quach  
Cary M. Reiss  
Catherine Rossouw  
Kevin Rubinstein  
Amanda J. Segal  
Jahangier Sharifi  
Paulina Spencer  
Edward Swainston

## Corporate and Business Transactions

Richards Kibbe & Orbe LLP advises clients across a wide spectrum of corporate and business transactional activities. Our practice reflects the Firm's financial sector focus, encompassing derivatives; distressed debt and claims trading; investment management; lending transactions; mergers and acquisitions; private equity transactions; restructuring and bankruptcy; securities transactions; tax; and general corporate advice. The collaborative and interdisciplinary nature of our practice enables us to meet the specific needs of our clients by building teams across sub-practice groups and offices. RK&O's corporate and business transactions clients include hedge funds and other private investment funds, trading desks, investment banks and other financial institutions, and financial industry organizations.

### PUBLICATIONS

"Buyers Beware: Delaware Bankruptcy Court Finds that Avoidance Risk Travels with Debt Purchases" by Paul B. Haskel and Keith Sambur

"Derivatives risk remains poorly understood" by Craig Newman and David Daniels published in *Financial Times*

"Paying it Forward: Lehman's Impact on MF Global" by Louisa Watt, Sara Cullen and Matthew Hughes published by *Law360*

"Paying it Forward: Lehman's Impact on MF Global" by Louisa Watt, Matthew Hughes and Sara Cullen

"Managing Insider Trading Risks as an Ad Hoc Committee Member" by Jon Kibbe, Michael Mann, Eva Marie Carney and Scott Budlong featured in the *LSTA 2012 Loan Market Chronicle*

"Still in Flux: Legal and Regulatory Developments Affecting the Analysis of Information Flow in the U.S. Secondary Loan Market" by Julia Lu and Jennifer Grady published in the *LSTA 2012 Loan Market Chronicle*

"Regulatory Reminders for Investment Advisers: Action Items for the Rest of 2012" by Scott Budlong, Selina Tay and Kimberly Versace

"The Latest Innovation in Middle-Market Lending" by Nicholas Whitney published by *Law360*

"Unitranche Facility & Middle Market Lending" by Nicholas Whitney published in *peHUB*

"Why Your Investment Management Company May Soon Be a CFTC-Regulated Entity" by Julia Lu, John Clark, Eva Marie Carney and Kimberly Versace

"The imperfect hedge: bail-in risk and CDS contracts" by Julia Lu and John Clark published in *Butterworths Journal of International Banking and Financial Law*

"A New Model for Treating Cleared Swaps Collateral" by Julia Lu and John A. Clark published by *Law360*

Simone Tatsch  
Selina W. Tay  
Courtney B. Thomas  
Catherine M. Turgeon  
Diane L. Vanderson  
Kimberly M. Versace  
Robert J. Waldner  
Louisa Watt  
Kenneth E. Werner  
Nicholas A. Whitney  
Janine Ivanova Wicklund  
Carl Winkworth

## RELATED PRACTICES

Derivatives  
Lending Transactions  
Mergers and Acquisitions  
Private Equity  
Restructuring and  
Bankruptcy  
Securities Transactions  
Tax

## CORPORATE AND BUSINESS TRANSACTIONS (Cont.)

"CFTC Adopts 'Legal Segregation with Operational Commingling' Model for Treatment of Cleared Swaps Collateral" by Julia Lu and John A. Clark

"Deconstructing *WaMu*: Managing Insider Trading Risks as an Ad Hoc Committee Member" by Eva Marie Carney, Michael Mann and Scott Budlong featured as *Law360* Expert Analysis piece

"Deconstructing *WaMu*: Managing Insider Trading Risks as an Ad Hoc Committee Member" by Eva Marie Carney, Michael Mann and Scott Budlong

"Participations in Commercial Bank Loans" by Jon Kibbe published in *Consumer Finance Law Quarterly Report*

"New LSTA Distressed Buy-In Sell-Out Procedures" By Paul B. Haskel, James Ohlig and Igal Katz

"Buying a Majority Interest in a Hedge Fund Manager: An Acquirer's Primer on Key Structuring and Negotiating Issues" by Scott Budlong, Eva Marie Carney, Thao Do, Eric O'Meara, William Orbe and Kenneth Werner published in *The Hedge Fund Law Report*

"Lehman Strikes Again: European Loan Participations and Preference Risks" by Carl Winkworth and Joon P. Hong published in *International Corporate Rescue* magazine

"Supreme Court Approves Amendments to Bankruptcy Rule 2019: Amendments Likely to Take Effect on December 1, 2011" by Jon Kibbe, Michael Friedman and Keith Sambur

"The Secured Lender Review: Seven Cautionary Rules" by Keith Sambur

"Material Non-Public Information in the Secondary Loan Market after Dodd-Frank" by Jon Kibbe and Michael Mann published in the *LSTA 2011 Loan Market Chronicle*

"Secured Lender Review: Seven Cautionary Rules" by Keith Sambur published by *Law360*

"Now You Have a Security, Now You Don't - Antifraud and Anti-Manipulation Regimes for Loan Derivatives Products Under Dodd-Frank" by Julia Lu and Eva Marie Carney published in the *Futures & Derivatives Law Report*

"Denial of Consents to Secondary Loan Assignments on the Rise" by Paul B. Haskel and Neil Binder

"US Jurisdiction in International Securities and Swaps Transactions: Boundless?" by Lucinda McConathy published in *Financier Worldwide* magazine

"A Third District Court Has Dismissed SEC Claims Relating to Short Selling and PIPEs" by Eva Marie Carney

"Recent Decisions on Short Selling and PIPEs: Section 5 Claims Dismissed, Insider Trading Claims Survive" by Eva Marie Carney

## CORPORATE AND BUSINESS TRANSACTIONS (Cont.)

## PRESENTATIONS

James Walker presents "LinkedIn, Facebook and Twitter, Oh My! Ethics & Privacy in Social Media" hosted by the LSTA

Richards Kibbe & Orbe LLP hosts "Transacting and Investing in China" presentation

Jon Kibbe and Jennifer Grady present "Material Non-Public Information Best Practices" at LSTA 16th Annual Conference

Eva Marie Carney presents "Integration of Technology and Compliance" at ACA Compliance Group Fall 2011 Conference

RK&O partners participate in the panel discussion "Receiving Information, Managing Risk, and Preserving Liquidity: Strategies for the Current Regulatory Landscape" at the Financial Services General Counsel Luncheon in San Francisco

RK&O partners present "Receiving Information, Managing Risk and Preserving Liquidity: Strategies for the Current Regulatory Landscape" at the Alternative Asset Management General Counsel Luncheon in New York City

Jon Kibbe speaks at the 15th Annual Conference of The Loan Syndications and Trading Association

## NEWS &amp; ANNOUNCEMENTS

Eva Marie Carney quoted in *Hedge Fund Law Report* article "Dual-Hatting: Benefits, Challenges and Recommendations for Persons Simultaneously Serving as General Counsel and Chief Compliance Officer of a Hedge Fund Manager"

Nicholas Whitney quoted in *Reuters'* article "Certainty, ease of execution drive demand for unitranche debt financing"

U.S. News-Best Lawyers awards RK&O "Law Firm of the Year" in White Collar-Government Investigations Law and recognizes firm's other practice areas

*Chambers USA* recognizes Richards Kibbe & Orbe LLP nationally and regionally in 2011 edition

Louisa Watt quoted in the *International Financing Review* article "Europe edges towards claims market"

Richards Kibbe & Orbe LLP names Jeffrey Lehtman a partner and Catherine Turgeon and Ryan Jackson counsel

Jon Kibbe quoted in *The New York Times* article "Pension Fraud in New Jersey Puts Focus on Illinois"

"SEC Examinations of Investment Advisers" webcast, co-presented by Eva Marie Carney, covered in *The Hedge Fund Law Report*

RK&O attorneys recognized as 2009 Super Lawyers

Recent Successes: RK&O Secures Dismissal of Directors of Foreign Company from U.S. Securities Lawsuit