Entity Formation

Overview

Forming a business entity is an exciting adventure. At Munsch Hardt, we begin the process by getting to know you as a client. We learn about your business, the products or services it offers and your goals for the company. Once we understand what you want to do and where you want to take your business, our team of attorneys will provide guidance on how best to structure your company from day one.

With years of experience and a successful track record advising companies within a number of industries, such as technology, energy, real estate and health care, we understand the various issues a business must address. The first step you must take is to weigh the type of legal entity you wish to establish. Whether entering a partnership or launching a new business on your own, our attorneys will outline the advantages and disadvantages of various structures, positioning you to make an informed decision that will pave the way for a successful venture.

Business entities our team is accustomed to structuring include:

- Limited Liability Companies (LLC)
- Limited Liability Partnerships (LLP)
- C Corporations
- S Corporations
- Partnerships, including General Partnerships and Limited Partnerships
- Professional Corporations (PC) and Professional Limited Liability Companies (PLLC)
- Sole Proprietorships (DBA)
- Non-Profits (501(c)(3))
- Joint Ventures

After deciding on the entity that is best suited for a your short- and long-term goals, our team will prepare and file the necessary documents to formally establish the business. This includes Operating Agreements for LLCs, Shareholder Agreements for Corporations, Partnership Agreements, Joint Venture Agreements and more.

In addition to providing guidance on new business formations, the attorneys at Munsch Hardt are here to serve you and your company through all stages of growth, including acquisitions of other businesses or real estate properties, as well as through corporate restructurings that are advantageous from a tax or capital raising perspective. Whatever stage your company encounters, our attorneys will identify potential risks and navigate legal issues so you can remain focused on your core business.

Experience

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Private Drilling Fund Representation

Represented a Dallas, Texas-based private investor in the formation and offering of securities in a $20 MM drilling fund formed to acquire and drill for oil in the Barnett Shale. The engagement involved the preparation of all company documents (both general partner and limited partnership), the private placement memorandum, subscription documents and the placement agent agreement with an independent investment bank based in New York. Additional documentation included all acquisition documents for the oil and gas leases.

Design Firm Representation

Currently represent a newly-formed company that designs, develops, manufactures and distributes custom designed micro-processors for radio communication applications. This engagement involves establishing a U.S.-based holding company and addressing legal issues related to its capital structure with investors from the U.S., Netherlands and Taiwan. Initial operations will be through a wholly-owned Netherlands subsidiary, which is the primary location for customized micro-processor design, in cooperation with Dutch legal counsel.

Investment Fund Representation

Currently represent a newly-created entity focused on the acquisition of general partner interests in real estate operating companies involved in the development of student housing, senior assisted living, modular housing neighborhoods and self-storage facilities. Our engagement has included the preparation of all offering documents, placement agreements and marketing materials. We also have been involved in the drafting and negotiation of side letter agreements with investors and structuring of offshore investment vehicles for potential investors, as well as joint venture agreements related to identified investments.

Practice Leaders



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Related Practices

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Private Securities Offerings
Corporate Structuring
Family Offices
Joint Ventures

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Construction
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