Private Securities Offerings

Overview

Making an offer of private securities can be an excellent strategy to advance the continued growth and expansion of a business. It allows entities to raise the capital needed to fund projects without the liability of incurring debt through a traditional business loan. Additionally, a private securities offering, rather than an initial public offering, reduces the impact of restrictive Sarbanes-Oxley compliance, allowing greater discretion and shielding the internal workings of the company from public scrutiny.

By involving experienced Munsch Hardt attorneys from the beginning of the process, we ensure private offerings are in full compliance with securities law for financings at both the start-up and mature capital stages. Our team guides clients through the preparation of private placement memoranda and the procedures involved in making the offering. Such offerings frequently includes (i) private securities offerings pursuant to Regulation D, as well as those exempt from registration requirements of the Securities Act; (ii) Regulations S offerings to foreign investors; and (iii) securities issued under employee benefit plans pursuant to Rule 701 under the Securities Act.

Our team of attorneys will develop strategies to attract the attention of venture capital firms and other investors, to make the move as successful as possible. We also will help navigate all aspects of an offering – the prospectus to provide the necessary information to potential investors; preparation of securities filings; preparation of shareholder agreements; financial projections; subscription documents; and other matters of importance. Private securities offerings often serve as a pivotal point in the life a business, and our attorneys welcome the opportunity to be our clients' strategic partner throughout this process.

Experience

Practice Leaders



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