

Erik R. Daly

MEMBER

Grand Rapids

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Erik R. Daly is a member of the firm's Corporate/M&A Practice Group and has been practicing corporate law since 2007. He focuses his practice on mergers and acquisitions, securities law matters and other significant corporate transactions. He also works on community economic development initiatives, including through Miller Johnson's firmwide corporate, small business and non-profit pro bono efforts.

Mergers & Acquisitions

Mr. Daly represents both publicly traded companies as well as privately held firms in their M&A initiatives. He has significant experience with a variety of transaction structures and processes, including mergers, stock and asset acquisitions, divestitures, leveraged buyouts, tender offers and proxy contests.

When working with public companies, Mr. Daly is knowledgeable about the intersection of mergers and acquisitions activities with securities laws, fiduciary duties and other relevant legal obligations for SEC registrants and exchange-listed companies. His M&A experience on behalf of public companies includes the following transactions and representations:

Practice Areas

- [Business and Corporate](#)
- [Mergers and Acquisitions](#)
- [Corporate Finance](#)
- [Entrepreneurial](#)
- [Government Affairs](#)

Education

- J.D., *cum laude*, Harvard Law School, 2007
- B.S., *summa cum laude*, New York University – Leonard N. Stern School of Business, 2004

Bar Admissions

- Illinois
- Michigan
- Minnesota

Honors

- Recognized by Best Lawyers® as the Grand Rapids “Lawyer of the Year” for Securities / Capital Markets Law
- Named as a 2022 “Go To Lawyer” for Business Law in Michigan by *Michigan Lawyers Weekly*
- Named as *Best Lawyers* 2020 Grand Rapids Lawyer of the Year for Mergers and Acquisitions Law
- *The Best Lawyers in America* – Mergers & Acquisitions and Securities / Capital Markets Law

- Represented NYSE-traded company in the carve-out divestitures of numerous domestic and international business units (ranging from adhesives, films and instrumentation businesses and product lines to software and digital rights management systems, food safety products and services and ceramic defense products) to private equity and strategic buyers.
- Represented subsidiary of Fortune 100 company in numerous acquisitions in markets across the United States, including New York, Philadelphia, Chicago, Atlanta, Texas, California, Oregon, Colorado, Nebraska, North Carolina, Florida, Wisconsin and Connecticut.
- Represented NASDAQ-listed environmental solutions business in its \$200 million cash-and-stock acquisition of NYSE-listed company.
- Represented Special Committee of the Board of Directors of NASDAQ-listed media company in connection with protracted proxy contest initiated by activist hedge fund.

Mr. Daly is equally experienced and enjoys working with founders, owners and private investors on transactions for closely held businesses. His representative M&A experience on behalf of privately held companies and private equity investors includes the following transactions and representations:

- Represented Auxo Investment Partners in numerous portfolio company acquisitions and related financing transactions, including: Atlas Die, Bernal, M/G Transport Services, Prestige Stamping, Midway Rotary Die Solutions, Andrie, Precision Products Group, Breyden Products, Genesis Rail Services, Ferrovia, Securit, Saylor



Technical Products, Golden State Assembly, Morgan-Royce Industries and TACK Electronics (among others).

- Represented Auxo Investment Partners in the successful sale of its M/G Transport Services portfolio company to Maritime Partners in a transaction requiring regulatory approval and Jones Act compliance.
- Represented Altus Capital Partners in its acquisition by tender offer and short-form merger of NASDAQ-listed medical device company MGC Diagnostics and related financing transactions.
- Represented privately held Michigan-based food distributor in its acquisitions of out-of-market distributors in Alabama, Texas and the Mid-Atlantic region.
- Represented Phoenix America, a designer and manufacturer of magnetically actuated sensors, encoders and related products to UK-based discoverIE Group plc.
- Represented Praxis Packaging in its acquisition of Unette Corporation, an FDA approved contract filler.
- Represented privately held, Michigan-based manufacturer of automotive testing equipment and precision machined products in its sale to a Hong Kong-listed private investment company.
- Represented Michigan-based family office in numerous acquisitions of security, manufacturing and automation businesses.

Mr. Daly is involved and experienced in all phases of the transaction and is an integral part of the firm's cross-section transaction team. He routinely and collaboratively works with clients' C-level executives,



in-house counsel, financial advisors, accountants, consultants and other professionals.

Securities Law and Corporate Financing

Mr. Daly also advises clients on securities law and corporate financing matters, whether arising independently or in connection with M&A transactions. His representative experience in these areas includes the following:

- Provided securities law counsel to various NYSE- and NASDAQ-listed companies, including by preparing and reviewing proxy statements for annual and special stockholder meetings, registration statements and tender offer documents for securities issuances and M&A transactions, as well as routine periodic reports under the Exchange Act (Forms 10-K, 10-Q, 8-K, etc.).
- Represented numerous Michigan-based start-ups in early-stage equity financing, including through venture capital and other private placement transactions.

Professional Affiliations, Activities and Honors

Mr. Daly is a member of the State Bar of Michigan, the State Bar of Minnesota, the State Bar of Illinois, and the American Bar Association (ABA). He is also a Fellow of the American Bar Foundation, a “global honorary society of attorneys, judges, law faculty, and legal scholars whose public and private careers have demonstrated outstanding dedication to the highest principles of the legal profession and to the welfare of their communities.”



Mr. Daly participates in the ABA's Mergers and Acquisitions Committee while also serving as a Vice Chair of the ABA's Community Economic Development Committee. Locally, he is also a member of the Association for Corporate Growth (ACG), the Turnaround Management Association (TMA) and the Economic Club of Grand Rapids.

Mr. Daly has previously been recognized by *Chambers USA* for Corporate/M&A and was identified as a "Rising Star" by Michigan Super Lawyers from 2014-2017. He was named as a 2022 "Go To Lawyer" for Business Law in Michigan by *Michigan Lawyers Weekly*. Mr. Daly has also been recognized in several editions of *The Best Lawyers in America* for Corporate Law, Mergers and Acquisitions Law, and Securities / Capital Markets Law.

Personal and Community Activities

Mr. Daly teaches "Law for Executives" as adjunct faculty for the Executive MBA program at Grand Valley State University (GVSU). He is a member of 100 Businesses Who Care and the Boards of Directors of the Friends of the East Grand Rapids Library, the West Michigan Sustainable Business Forum, the GVSU Center for Entrepreneurship and Innovation (CEI) and Special Olympics Michigan.

Together with a number of Miller Johnson team members, Mr. Daly also provides pro bono corporate law and legal training services to borrowers of Michigan-based Community Development Financial Institutions (CDFIs), graduates of local business training and entrepreneurship programs (including SpringGR, Start Garden and the Michigan Veterans Entrepreneurship Lab), and a variety of non-profit



organizations across the State.

Education

Mr. Daly earned his J.D., *cum laude*, from Harvard Law School, where he was a member of the *Harvard Journal on Legislation*. He received his B.S., *summa cum laude*, from New York University's Leonard N. Stern School of Business. At NYU, he studied finance, economics and mathematics and was class valedictorian. During law school, Mr. Daly served as an intern in the summer honors program at the Securities and Exchange Commission (SEC). While attending college, he was a resident assistant, worked as an international economics research intern for the Council on Foreign Relations and tutored elementary students through the South Bronx Educational Foundation.

