

Erik R. Daly

MEMBER

Grand Rapids

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Erik R. Daly is a member of the firm's business section and has been practicing corporate law since 2007. He focuses his practice on mergers and acquisitions, joint ventures, corporate financing, restructurings and securities law matters. He also focuses on emerging technologies topics such as artificial intelligence, virtual and augmented reality, cryptocurrencies and other blockchain technologies.

Mergers & Acquisitions and Joint Ventures

Mr. Daly represents both publicly traded companies as well as privately held firms in their M&A initiatives, whether buy- or sell-side. 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

Practice Areas

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

Education

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

Honors

- 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
- Chambers USA Noted Practitioner – Corporate/M&A, 2018, 2019
- Super Lawyers Rising Star – Mergers & Acquisitions, 2016, 2017
- *Chambers USA* Up and Coming – Corporate/M&A 2015, 2016, 2017
- Super Lawyers Rising Star – Corporate 2014, 2015
- *Chambers USA* Associate to Watch – Corporate/M&A 2013,2014



the following transactions and representations:

- Represented Fortune 100 company in the carve-out divestitures of several domestic and international business units (ranging from adhesives, films and instrumentation businesses and product lines to software and digital rights management systems) to private equity and strategic buyers.
- Represented Fortune 100 company in its acquisition of healthcare data analytics and information provider.
- 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 NYSE-listed company in the carve-out divestiture of a product line required by the European Commission.
- Represented Special Committee of the Board of Directors of NASDAQ-listed telecommunications company in its \$1.2 billion going-private, leveraged buyout acquisition by private equity firm.
- Represented NASDAQ-listed environmental solutions business in its \$200 million cash-and-stock acquisition of NYSE-listed company.
- Represented publicly traded Swiss company in its \$1.4 billion tender offer and short-form merger acquisition of NYSE-listed chemicals business.
- 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 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 Auxo Investment Partners in numerous portfolio company acquisitions and related financing transactions, including: Atlas Die, LLC, Bernal, LLC, M/G Transport Services, Prestige Stamping, Midway Rotary Die Solutions and Adrie LLC.
- Represented privately held Michigan-based food distributor in its acquisitions of out-of-market distributors in Alabama, Texas and the Mid-Atlantic region.
- Represented privately held, Michigan-based company in its acquisition of a national specialty pharmacy and health services company from private equity seller.
- Represented private equity-sponsored warehousing and logistics company its acquisitions of third-party cold storage warehousing, logistics and redistribution businesses in the Midwest and Pacific Northwest.
- 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 investment group in the sale of its custom manufacturing and automation business to private equity buyer.
- Represented Michigan-based machinery company in its acquisition of assembly automation and test systems business.
- Represented privately held, Midwest-based specialty abrasives distributor in its acquisition and restructuring by private equity sponsor.
- Represented Michigan-based investment group in the sale of its custom manufacturing and automation business to private equity buyer.
- Represented Michigan-based investment group in its investments in and acquisitions of numerous security-related start-ups and established businesses.
- Represented Michigan-based machinery company in its acquisition of assembly automation and test systems business.
- Represented privately held, Michigan-based food distributor in its acquisition of large out-of-market distributor in Texas.
- Represented privately held, Midwest-based specialty abrasives distributor in its acquisition and restructuring by private equity sponsor.

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 several Michigan-based start-ups in early-stage equity financing, including through venture capital and other private placement transactions.
- Worked with large team that represented Michigan-based automotive company in its multi-billion dollar initial public offering, principally by negotiating and drafting underwriting arrangements with top tier investment banks and preparing related SEC disclosures.
- Represented NYSE-listed, Michigan-based company in connection with its contribution of cash and newly issued stock to employee pension plans, including by preparing and negotiating registration rights and stockholders agreements with the plans' independent fiduciaries.

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 participates in the ABA's Business Law Section and Mergers and Acquisitions Committee and is a member of the Women in M&A Task Force. 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 been recognized by *Chambers USA* for Corporate/M&A since 2014 and was identified as a “Rising Star” by Michigan Super Lawyers from 2014-2017. Mr. Daly is also recognized by *Best Lawyers* for Mergers and Acquisitions Law and Securities / Capital Markets Law and was named as *Best Lawyers* 2020 Grand Rapids Lawyer of the Year for Mergers and Acquisitions Law.

Personal and Community Activities

Mr. Daly and his wife were each raised in the Grand Rapids area. They returned to West Michigan not long after their son was born on a frigid Chicago afternoon in 2011. They both assist several local and national organizations that promote health, educational, artistic and inclusivity initiatives.

Mr. Daly is a member of the NYU Club of Michigan, the Harvard-Radcliffe Club of Western Michigan, 100 Businesses Who Care, the West Michigan Sustainable Business Forum (WMSBF) and the Special Olympics Michigan Board of Directors.

In 2017, Mr. Daly was appointed to the WMSBF’s Equitable Sustainability Task Force and the East Grand Rapids Library Commission. In 2018, he was also appointed to the Board of Directors of the WMSBF and the Friends of the East Grands Library.

Together with a number of Business Section colleagues, Mr. Daly has also provided pro bono corporate law and business coaching services to graduates of Spring GR, a training, mentoring and networking program for underserved entrepreneurial



communities in Grand Rapids.

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.

