

Practices

Private Equity Litigation

Today's financial markets offer substantial growth opportunities for private equity firms. Yet risk often accompanies opportunity, making disputes a common occurrence. When claims arise, highly skilled legal counsel can minimize exposure and disruption so private equity firms can remain focused on what matters most—achieving their business goals.

Recognized by *U.S. News – Best Lawyers* as a national tier one law firm for Private Equity and Commercial Litigation, and one of the only law firms with litigators listed by *Best Lawyers* in the area of Private Funds/Hedge Funds law, Akerman's broad experience in the private equity arena provides us with unique perspective and efficiencies in handling claims commonly faced by private equity companies, their portfolio companies, and their employees.

As one of the first law firms in the United States focused on the distinct litigation needs of private equity firms, we are known for our pragmatic, results-oriented approach. We are well versed in litigation involving investors, valuation issues, corporate governance disputes, tax matters, creditor claims, shareholder class actions, and fraud, as well as a range of transactional disputes. In addition to resolving disputes involving limited partners, we work to ensure that our clients are not exposed to claims by creditors of portfolio companies. We also counsel private equity clients on risk mitigation techniques designed to anticipate legal issues and avoid the potential for damaging lawsuits.

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Our Team

Related Work

Class Action Defense
Corporate Governance
Directors and Officers
(D&O) Liability
Litigation
M&A and Private Equity
Preference and
Fraudulent Transfer
Litigation
Trade Secrets,
Restrictive Covenants,
and Unfair Competition

What We Do

- Purchase price adjustment and working capital claims
- Indemnification claims, including breaches of representations, warranties, and covenants
- Earn-out claims
- Director and officer liability claims, including breach of fiduciary duty, aiding and abetting, and illegal dividends
- Bankruptcy adversary proceedings, including preferential and fraudulent transfers
- Management fee disputes
- Shareholder class action defense
- Restrictive covenant claims, including non-compete, non-solicitation, and confidentiality provisions, as well as defense of other employee-related claims
- Executive terminations
- Trade secret disputes
- Brokerage/finder's fee disputes
- Computer fraud claims
- Judgment collection
- Alter ego and excessive control claims
- Independent litigation committee representation
- Corporate governance
- General outside litigation counsel services and oversight