



## Brad Finkelstein

Partner

Silicon Valley

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Brad Finkelstein specializes in mergers and acquisitions, complex securities transactions, corporate governance and takeover defense. For more than 20 years, Brad has represented public and private technology companies in corporate transactions—negotiated and hostile—with deal values ranging from US\$5 million to US\$25 billion, as well in governance, stockholder activism- and disclosure-related matters. He has also advised issuers and underwriters in debt and equity corporate finance transactions. Select companies that Brad has represented in major transactions include Twitter, LinkedIn, Yahoo!, Juniper Networks, Hewlett-Packard, and Ameritrade.

### Experience

- **4D pharma plc** in its merger with the Longevity Acquisition Corporation SPAC
- **Ameritrade** in its US\$3.3 billion acquisition of the US brokerage business of TD Waterhouse Group to form TD Ameritrade
- **Brocade Communications Systems** in its US\$5.5 billion acquisition by Broadcom
- **Clear Channel Outdoor Holdings** in its separation from iHeartMedia amidst iHeart's emergence from its Chapter 11 restructuring
- **Deckers Brands** in its successful proxy contest to re-elect all members of its board of directors against the objections of Marcato Capital Management
- **E-TEK Dynamics** in its US\$15 billion acquisition by JDS Uniphase

### Admissions

*Bar Admissions*

California

### Education

Columbia Law School, J.D., 1996:

Harlan Fiske Stone Scholar;

Managing Editor, *Columbia Journal of Law and Social Problems*

Tufts University, B.A., Philosophy and History, 1993: *cum laude with highest thesis honors*

- **Echelon** in its acquisition by Adesto Technologies
- **Fossil Group** in its US\$260 million acquisition of Misfit, Inc.
- **Gartner** in its US\$2.6 billion acquisition of CEB
- **Hewlett-Packard** in its US\$25 billion acquisition of Compaq Computer and related proxy contest with Walter Hewlett
- **Hewlett-Packard** in its negotiations to acquire the consulting business of PriceWaterhouseCoopers
- **Hewlett Packard's** separation and initial public offering of Agilent Technologies
- **Juniper Networks** in its US\$3.63 billion acquisition of Netscreen
- **KLA-Tencor** in its negotiations with respect to a US\$10.6 billion acquisition by Lam Research Corp.
- **KLA-Tencor** in its US\$3.4 billion acquisition of Orbotech
- **LifeLock** in its US\$2.3 billion acquisition by Symantec Corporation
- **LinkedIn** in its US\$26.2 billion acquisition by Microsoft
- **LinkedIn** in its sale of SlideShare to Scribd and numerous private company acquisitions
- **The McClatchy Company** in its US\$4.6 billion acquisition of Knight Ridder Inc.
- **NetSuite** in its US\$9.3 billion acquisition by Oracle Corporation
- **Nutanix** in its US\$750 million investment by Bain Capital
- **Overture Services** in its acquisition by Yahoo!
- **Palm's** separation of PalmSource and acquisition of Handspring, Inc.
- **Rackspace Hosting** in its US\$4.3 billion acquisition by Apollo Global Management
- **Rational Software** in its US\$2.1 billion acquisition by IBM
- **Rightside Group** in its US\$213 million acquisition by Donuts Inc.
- **Seagate Technology** in a Bain Capital Private Equity-led consortium's US\$18 billion acquisition of Toshiba Memory and in a long-term NAND supply agreement with Toshiba Memory
- **Skyscanner**, a subsidiary of Ctrip, in Ctrip's acquisition of Trip.com
- **Twitter** in its resolution of an activist campaign launched by Elliott Management and the sale of US\$1 billion of convertible senior notes to Silver Lake and numerous private company acquisitions
- **VMware** in its US\$625 million acquisition by EMC
- **Yahoo!'s** board of directors in the company's proxy contest with Starboard Value

## Professional Activities

### Clerkships

- The Honorable Paul R. Michel, US Court of Appeals for the Federal Circuit (1996-1997)

## Honors & Awards

- Recognized in the 2012-2019 editions of *Northern California Super Lawyers*
- Named to the 2009, 2010, and 2011 editions of the "Rising Stars" list published by *Northern California Super Lawyers*