



## David Schultz

Partner

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David I. Schultz represents private equity investors and other public and private companies in complex transformative business transactions. These transactions include domestic and cross-border mergers, acquisitions, divestitures, joint ventures, restructurings, recapitalizations, minority investments, proxy contests and other complex corporate transactions.

David also regularly advises institutional investors, corporations, their boards of directors and special board committees in connection with corporate governance and compliance matters, stockholder activism, takeover preparedness and other corporate matters.

David has substantial experience in a broad range of industries, including technology, biotechnology, telecommunications, fashion/apparel, healthcare and entertainment, and is supported by experts in the fields of tax, intellectual property, anti-trust, environmental, investment funds, employee benefits and a wide variety of other specialty practices areas.

## Experience

- Representation of **MHR Fund Management** in its investments in **Lions Gate Entertainment Corp.**, **Loral Space & Communications Inc.**, **Navistar International Corporation**, **Northern Offshore Ltd.**, **Titan International, Inc.**, **Leap Wireless International, Inc.**, **Emisphere Technologies** and other public and private companies and joint ventures
- Representation of **MHR Fund Management** in the sale of **Foresight Therapeutics, Inc.** to Shire plc for \$300 million

## Admissions

*Bar Admissions*

New York

## Education

New York University, J.D., 2001:  
Dean's Scholar; Moot Court Board,  
Case Book Division

University of Michigan, B.A., History,  
1997: Angell Scholar

- Representation of **Avenue Capital Group** in its investments in **YRC Worldwide Inc.**, **Ambow Education Holding Ltd.** and **Quiznos, Inc.**
- Representation of SHL Investment Group (USA), Inc. in its acquisitions of and investments in fashion and apparel companies
- Representation of **Alibaba Group** in its investments in **1stdibs.com**
- Representation of **Microsemi Corporation** in its US\$300 million acquisition of **Symmetricon, Inc.** via an all-cash tender offer
- Representation of **MakerBot Industries** in its US\$600 million merger with **Stratasys, Inc.**
- Representation of **Precision Castparts** in its US\$2.9 billion acquisition of **Titanium Metals** via an all-cash tender offer
- **NewQuest Capital Partners** in connection with its investment in **China Hydroelectric Corporation**, including negotiation and settlement of shareholder proxy contest
- Representation of **Tix Corporation** in connection with negotiation and settlement of contest for corporate control with significant stockholder
- Representation of **Och-Ziff Capital Management** and **Farallon Capital Management** in connection with its acquisition of **Solidus Networks**, a biometric-authenticated personalized marketing and payment services provider
- Representation of **Jacobson Partners** in its acquisition of the North American forging operations of **Metaldyne Corporation**
- Representation of **Jacobson Partners** in its sale of the **Taco Bueno** restaurant chain

## Professional Activities

### Member

- New York State Bar Association

### Co-Author

- “The Pandemic’s Impact on Interim Operating Covenants: Lessons From The Now-Resolved Sycamore - L Brands Dispute,” *The M&A Journal* (August 1, 2020)
- “Minority Investments in Public Companies: Selected Considerations for the Private Investor,” *The M&A Lawyer* (January 2011)
- “Frame of Reference,” *Private Equity Manager*, (December 14, 2009)
- “A Cautionary Tale,” *The Deal*, (August 3, 2009)
- “Business is Business: Determining Proper Matters for Annual Meetings,” *The M&A Lawyer*, (May 2009)
- “A House Conflicted,” *The M&A Lawyer*, June 2008, and *The Deal*, (March 20, 2008)
- “Lies, Damn Lies and M&A Fraud,” *The Corporate Compliance & Regulatory Newsletter*, (January and February 2006)