

FIRM NEWS

Schulte Roth & Zabel Announces Promotions

January 1, 2021

Schulte Roth & Zabel (SRZ) is pleased to announce the election of David Arnstein, David Griffel, Anthony Taylor and Heather Wyckoff as partners. The firm also announces the promotion of William Barbera, Neil Begley, Adam Gartner, Andrew Gladstein, Robert Griffin, Jill Guzzetti, Annie Mehlman and Brian Smith to special counsel. All are resident in the firm's New York office.

"We are excited to recognize the significant contributions that this talented group of lawyers have made, not just to the firm, but also to the industries they practice in," said David Efron, SRZ co-managing partner and co-head of the Investment Management Group. "Each of these outstanding lawyers have shown a commitment to providing exceptional client service while remaining at the cutting edge of their respective practices," commented Marc Elovitz, SRZ co-managing partner and chair of the Investment Management Regulatory & Compliance Group.

Partners

David Arnstein focuses his practice on representing direct private lenders, alternative lenders and borrowers on a wide variety of corporate financing transactions, including acquisition and leveraged finance facilities, asset-based and cash-flow facilities, working capital facilities, restructurings and workouts. David earned his J.D. from Fordham University School of Law and his B.A. from University of Michigan.

David S. Griffel concentrates his practice on tax issues related to the formation and operation of onshore and offshore investment funds and their investment managers, as well as tax issues prospective investors face with such investments; tax considerations related to employee and executive compensation, including deferred compensation programs; and partnership taxation. Recognized by *The Legal 500 US* as a leading tax lawyer, David has spoken on tax issues related to running investment management firms and their funds, as well as hedge fund tax considerations and compensation structures. He contributed to “Hedge Fund Employee Compensation,” published by *Practical Law, and Hedge Funds: Formation, Operation and Regulation* (ALM Law Journal Press). David has presented on the topic of “Hedge Funds” at PLI’s Tax Planning for Domestic & Foreign Partnerships, LLCs, Joint Ventures & Other Strategic Alliances Conference for several years. He is a member of the American Bar Association and the New York State Bar Association. David received his LL.M. and J.D. *magna cum laude*, from NYU School of Law, and his A.B., *cum laude*, from Harvard University.

Anthony J. Taylor focuses his practice on the formation, organization and operation of private investment funds, including hedge funds, private equity funds, credit funds, managed accounts and single investor vehicles. He also advises sponsors of funds on economic and governance issues, as well as in structuring and negotiating the terms of private investment vehicles, including private equity funds, funds of funds, joint ventures and seed arrangements. Anthony received his J.D. from Columbia Law School and his B.S.F.S., *cum laude*, from Georgetown University.

Heather N. Wyckoff focuses her practice on advising private investment funds and has provided comprehensive legal services to institutional and emerging asset managers, proprietary trading firms, family offices and financial institutions on a wide range of issues. She forms private equity funds (including private credit and real estate funds), hybrid funds, hedge funds and managed account platforms, among others, and provides regulatory advice to investment managers. Heather has extensive experience representing funds and advisers who employ a wide range of investment strategies across all asset classes. She also represents fund managers and institutional investors in connection with the negotiation of seed deals, co-investment vehicles, “funds of one” and other strategic relationships. Heather received her J.D. from Fordham University School of Law and her A.B. from Dartmouth College.

Special Counsel

William J. Barbera focuses his practice on transactional and regulatory matters impacting broker-dealers, hedge funds and other financial institutions. Bill advises clients regarding a number of regulations applicable to securities trading and custody practices, including regulations related to alternative trading systems, short sale practices, best execution obligations, trading in new issues and the SEC's customer protection rule. Bill also advises clients on transactional matters, including mergers and acquisitions involving broker-dealers and the negotiation of trading, custody and prime brokerage agreements. He received his J.D., *cum laude*, from Washington University School of Law, his M.B.A. from Washington University, Olin School of Business and his B.A., *cum laude*, from Tufts University.

Neil S. Begley represents hedge funds, private equity firms, CLOs, financial institutions and high-net-worth individuals in connection with acquisitions and sales of distressed and illiquid assets, including corporate bank loans (LSTA and LMA), bankruptcy claims, trust interests, post-reorganization securities and litigation claims. He regularly counsels clients in the review and analysis of credit agreements, bond indentures, restructuring support agreements and advises on matters arising in connection with distressed special situations investments, such as rights offerings, plan voting, distributions, MNPI issues and trade disputes. Neil earned his B.A. from the University of Pennsylvania and his J.D. from American University, Washington College of Law, where he served as articles editor on the *International Law Review*. Prior to law school, Neil was a financial analyst and underwriter in the trade credit insurance industry.

Adam B. Gartner concentrates his practice on advising clients in executive compensation and employee benefits matters, with a focus on the executive compensation and employee benefits aspects of mergers and acquisitions. Adam counsels clients in the negotiation, design and implementation of employment, equity, incentive, retention and separation arrangements, and advises clients on the tax and securities law considerations of executive compensation and employee benefits matters. Adam also advises clients on day-to-day issues involving compliance with state, federal and municipal laws; hiring; employment best practices; managing employees; and termination of employment. He

received his J.D. from Fordham University School of Law and his B.A. from Brandeis University.

Andrew Gladstein concentrates his practice in the areas of complex commercial and white collar litigation in federal and state courts. Andy has extensive experience representing investment managers and alternative investment funds, including hedge and private equity funds, in a wide variety of civil matters, jury trials and regulatory actions and investigations, and has represented individuals, including political figures and corporate executives, in a wide variety of high-profile criminal matters.

Andy is also committed to pro bono work. Between 2016 and 2017, Andy led a team of associates in the successful appeal of the conviction of a pro bono client, whose conviction was overturned by the Second Circuit on constitutional speedy trial grounds — the first such reversal from that court in nearly 40 years. He received his J.D. from Benjamin N. Cardozo School of Law and his B.A., with high honors, from University of Maryland.

Robert E. Griffin concentrates his practice on complex commercial litigation, including securities and common law fraud actions, merger and acquisition cases, partnership disputes, and other state law claims for breach of fiduciary duty, breach of contract, and other commercial torts. Bob's clients have included investment managers, private investment funds, financial institutions, public companies, private companies, and individuals. Bob has litigated numerous cases in state and federal courts around the country, including a victory on behalf of an investment manager defending against breach of fiduciary duty and fraud claims after a five-day federal jury trial arising out of investment fund losses, a successful representation of a large financial institution in a non-party contempt proceeding seeking over \$150 million in damages, and a pending lawsuit brought by a private equity firm asserting breach of contract and breach of fiduciary duty claims relating to a corporate transaction. Bob also has substantial experience representing private investment funds, investment managers, and financial institutions in litigation concerning the life settlement asset class, including cases in which life insurance companies or estates seek declaratory judgments that high-value life insurance policies are invalid and cases in which life settlement investors allege that insurers have acted deceptively by challenging the validity of their high-value policies. In addition to his active complex commercial litigation practice, Bob has experience in white

collar litigation, government investigations, Securities and Exchange Commission enforcement actions, and internal investigations. He received his J.D. from Columbia Law School and his B.A. from University of Notre Dame.

Jill M. Guzzetti focuses her practice on corporate and securities matters for investment managers and private investment funds. She represents institutional and entrepreneurial investment managers of a wide range of hedge, private equity, credit, and real estate funds regarding the structure of their businesses and day-to-day operational, securities, corporate and compliance issues. She advises clients on structuring and negotiating seed and strategic investments, co-investments and joint ventures, as well as scalable platforms. Jill also represents institutional investors evaluating and negotiating investments in alternative investment funds. Jill received her B.S., *magna cum laude*, from the Ohio State University and a J.D. from Boston College Law School.

Annie L. Mehlman practices in the areas of estate planning and administration, trust administration, charitable giving and sophisticated income, gift and estate tax planning. She advises individuals and families on strategies to maximize wealth preservation across generations, including succession planning, insurance planning and planning with business interests, and represents executors and trustees in estate and trust administration matters. She also works with high-net-worth individuals in family law matters, including the negotiation of prenuptial, postnuptial and separation agreements, and individuals and fiduciaries in trusts and estates disputes. Annie received her LL.M. and J.D. from NYU School of Law and her B.A., *magna cum laude*, from Washington University in St. Louis.

Brian G. Smith focuses his practice in the areas of estate and tax planning, estate and trust administration, litigation, family law and charitable giving for high net worth individuals. In the estate planning area, Brian represents clients in implementing complex tax-planning strategies, including, but not limited to, dynasty trusts, grantor retained annuity trusts, qualified personal residence trusts and life insurance trusts, to reduce the wealth transfer tax paid as a result of transferring wealth to future generations. He also creates traditional wills, revocable trusts and limited liability companies, among other estate planning and corporate vehicles and structures, with respect to his clients' estate plans. In the estate and trust administration area, Brian supervises

fiduciaries and beneficiaries in all aspects of the administration of estates and trusts, including representing clients in audits of their estate tax returns and gift tax returns. Brian received his J.D. from St. John's University School of Law, where he was an Articles Editor of the *St. John's Law Review*, and his B.A. from Duke University, where he double majored in Public Policy and History. He is a member of the Board of Directors of Soul Ryeders and is a former co-chair of the New Members Committee of the Trusts and Estates Law Section of the New York State Bar Association.

Practices

BROKER-DEALER REGULATORY AND ENFORCEMENT

BUSINESS REORGANIZATION

EMPLOYMENT AND EMPLOYEE BENEFITS

FINANCE

INDIVIDUAL CLIENT SERVICES

INVESTMENT MANAGEMENT

LITIGATION

TAX