

Partner, Los Angeles

Mergers and Acquisitions; Private Equity



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Education

J.D., University of Southern California
Gould School of Law, 2011

B.A., Loyola Marymount University,
2007 (*magna cum laude*)

Bar Admissions

California

Associations

Member, Board of Synergy Charter
Academy

Member, Young Professionals Board,
Jumpstart for Young Children

Member, Executive Committee,
Business Law Section, Los Angeles
County Bar Association

Member, Board of Governors, USC
Gould School of Law — LACBA
Corporate Law Departments Section
Institute for Corporate Counsel

David A. Niemeyer focuses on mergers and acquisitions, private equity, corporate governance and general corporate matters. Mr. Niemeyer has represented public and private clients, private equity sponsors, portfolio companies, sovereign funds, family offices and special committees in a variety of U.S. and cross-border transactions, including acquisitions, dispositions, auctions, investments, joint ventures, restructurings, spin-offs and SPAC transactions. He also regularly advises clients on corporate governance and other general corporate matters.

Mr. Niemeyer has represented a diverse set of clients in an array of industries, such as apparel, beauty, consumer products, energy, entertainment, fintech, food, gaming, media, sports and retail, among others. In recognition of his work, Mr. Niemeyer has been selected for inclusion in *Chambers USA* and was named a Lawyer on the Fast Track by *The Recorder*.

Notable transactions include:

Private Equity and Financial Sponsor Matters

- Hg in multiple matters, including:

- its sale of a stake in Intelrad Medical Systems Incorporated to TA Associates Management
- the merger of Norstella, a portfolio company of Hg and Welsh Carson Anderson & Stowe, with Citeline, a portfolio company of Warburg Pincus, which created a combined entity valued at \$5 billion

- The Freedman Group in its acquisition of Mackie

- Fortress Investment Group LLC in multiple matters

- two private equity firms in their acquisition of The Western Union Company's business solutions division

- ArchKey Solutions, a portfolio company of the GFI Energy Group of Oaktree Capital Management, in its:

- acquisition of Parsons Electric LLC
- partnership with One Rock Capital Partners, LLC

- funds managed by Oaktree Capital Management in connection with:

- the formation of an entity to invest in select transportation assets
- the initial acquisition by that entity

- the Power Opportunity Group of Oaktree Capital Management in a partnership with Sachs Electric Co.

- GIC in multiple matters

- Cardenas Markets, Inc. in the sale of its retail grocery business to an affiliate of KKR & Co.

- Del Real Foods in an investment by Palladium Equity Partners, LLC

- Oaktree Capital Management in its controlling investment in My Alarm Center, LLC

- Oaktree Capital Management and its co-investors in connection with the sale of a majority of the stock of Alliance Healthcare Services, a publicly listed company, to Fujian Thai Hot Investment Company

David A. Niemeyer

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- a portfolio company of Crimson Investment in connection with the sale of the company
 - Tengram Capital and its portfolio company Robert Graham in connection with the combination of Robert Graham with Differential Brands Group, formerly Joe's Jeans

Strategic Mergers and Acquisitions Matters

- Caesars Entertainment Corporation in its \$17.3 billion acquisition by Eldorado Resorts, Inc.
- the board of directors of Caesars Entertainment Corporation in connection with a settlement agreement with shareholder activist Carl Icahn, related matters and other general corporate matters
- the special committee of Caesars Acquisition Company (CAC) in CAC's merger with Caesars Entertainment Corporation
- Scopely, Inc. in connection with its \$5 billion merger with Savvy Games Group
- Intesa Sanpaolo S.p.A. in its investment in SpaceX
- The Walt Disney Company in its:
 - partnership with Major League Baseball and the National Hockey League to form the media streaming and technology company BAMTech, LLC
 - acquisition of a minority stake in Vice Media
- United Talent Agency in multiple matters, including its acquisition of:
 - MediaLink, a marketing and media consulting firm, from Ascential plc
 - Fletcher & Company, a literary agency
- Opry Entertainment Group, a subsidiary of Ryman Hospitality Properties, Inc., in the formation of a joint venture with Gray Television, Inc. that will create and distribute a premier linear multicast and OTT (over-the-top) channel
- Hulu, LLC in its sale of a 10% stake to Time Warner Inc.
- Quixote Studios in general corporate matters
- Perella Weinberg Partners in multiple matters, including its de-SPAC business combination with FinTech Acquisition Corp. IV (sponsored by Betsy and Daniel Cohen)
- CB Franchise Systems, LLC, owner of The Counter and BUILT Custom Burger franchises, in its sale to MTY Food Group Inc.
- Dermalogica in its acquisition by Unilever

Mr. Niemeyer is actively involved in Skadden's training and recruiting programs and serves as co-hiring partner on the firm's Los Angeles office Hiring Committee.

He also provides *pro bono* legal services to a variety of clients, including by reviewing cases for The Innocence Project, which works to exonerate the wrongly convicted through DNA testing and reform the criminal justice system to prevent future injustice.

Publications

"The Rise of NAV Financing in Private Equity," *Daily Journal*, June 12, 2024

"New California Law Requires Diversity Reporting for Venture Capital and Private Equity Firms," *Reuters Legal News*, November 27, 2023

"Practical Advice for Companies Preparing for California's New Emission Laws," *Daily Journal*, October 23, 2023

"SEC Proposes Easing Financial Disclosure Burden on Buyers and Sellers," *Daily Journal*, June 3, 2019