

The Thomson Reuters Institute

proudly presents

The Inaugural West Coast M&A/Private Equity Forum

Momentum and Opportunity in the Middle Market

September 29, 2022

Four Seasons Hotel
Silicon Valley at East Palo Alto
2050 University Avenue
East Palo Alto, CA

Chair:
Pavan Jawanda, Partner, McCarthy Tétrault LLP

PROGRAM (all times local)

8:00am – 9:00am **Networking Breakfast**

8:55am – 9:00am **Opening Remarks**

9:00am – 10:00am **Carpe Diem: The State of the US M&A Market**
By all accounts, 2021 was an exceptional year for US M&A activity. Excess liquidity, attractive multiples and pricing, and even concerns over a possible tax code change motivated dealmakers and laid the foundation for ebullient optimism in 2022. Entering Year Two of the Biden administration, will persistent inflation and lingering pandemic concerns help or hinder last year's momentum? Will anticipated Federal Reserve action, not to mention the upcoming US midterm elections, prove a distraction or deterrent to deal activity heading into Q4? Please join us as our opening conversation offers a timely take on the current state of the US M&A middle market. Our panel will address key sectors and opportunities and areas of interest for the weeks ahead.

Moderator:
Bradley L. Finkelstein, Partner, O'Melveny & Myers LLP

Panelists:
Susan Blanco, Founder and Managing Partner, Capital Clarity
Hemant Hebbal, Vice President, Global M&A and Integration, Hewlett Packard Enterprise

Emily Maier, Senior Vice President, National Group Leader - M&A Insurance,
Woodruff Sawyer
Greg Psihas, Senior Vice President, Global Corporate Development &
Ventures, Visa

10:00am – 10:15am **Break**

10:15am – 11:15am **Civic Engineering: Aligning ESG Policy with Commercial Growth**
With environmental, social and governance (ESG) awareness now a core business imperative, its impact on deal activity cannot be understated. Indeed, as a recent PwC report surmised, ESG considerations are now “table stakes” for buyers and sellers, with many organizations focused on execution strategies and portfolio recalibration whether through acquisition, divestiture, or enhanced due diligence and compliance. This discussion offers a tactical dive into best practices and key considerations for managing elevated ESG expectations. How can companies bolster their ESG profile with an eye on growth and profitability?

Moderator:

Faris Natour, Lecturer, Center for Responsible Business, Hass School of Business, University of California, Berkeley

Panelists:

Kelly Abbott, CTO and Co-Founder, Tablecloth
Asya Bradley, Senior Partner, Mendoza Ventures
J.T. Ho, Partner, Orrick Herrington & Sutcliffe LLP
Oliver Vivell, Vice President, Corporate Development, SAP

11:15am – 11:30am **Break**

11:30am – 12:30pm **Catching Fire: A Private Equity Roundtable**
According to Refinitiv, by most accounts, 2021 was a strong year for private equity, thanks mainly to significant dry powder accrued early in the pandemic and attractive interest rates and opportunities in lucrative markets. Many expect private equity to remain aggressive in 2022, but high valuations and macro factors such as inflation, talent shortages, and supply chain stress bear watching. This roundtable solicits guidance from prominent PE firms on the overall appetite and risk environment for the middle market. Will transaction volumes wax or wane amid a dynamic business landscape?

Moderator:

Rachel Masory, Managing Director and Deputy General Counsel, Golden Gate Capital

Panelists:

Karl Douglas, Partner, Covenant Venture Capital
Lance Fenton, Partner, Serent Capital
Seyonne Kang, Partner, StepStone Group

12:30pm – 1:30pm **Networking Luncheon**

1:30pm – 2:30pm

Force Dispersal: Exploring Market Trends in RWI

With ongoing market volatility and important US midterm elections on the horizon, the deals environment, while rife with opportunity, is not without risk. Savvy dealmakers are prepared to handle a worst-case scenario—often relying upon increasingly popular representation and warranty insurance (“RWI”) as a key indemnification lever. This session offers essential updates on the latest RWI trends and developments. What lessons have recent deals taught us about liability and loss mitigation in the current climate?

Moderator:

Pavan Jawanda, *Partner*, McCarthy Tétrault LLP

Panelists:

Thomas Bonfiglio, *Senior Vice President*, Transactional Liability, CAC

Craig Lilly, *Partner*, Reed Smith LLP

Zac Padgett, *Partner*, Orrick Herrington & Sutcliffe LLP

Dan Waxman, *Director*, Willis Towers Watson

2:30pm - 2:45pm

Break

2:45pm - 3:45pm

Shifting Sands: Market Transformation & the Future of SPACs

According to industry reports, 2021 saw Special Purpose Acquisition Companies (SPACs) gain significant traction among investors, with a record 613 listings raising \$145 billion in an altogether impressive year. Indeed, despite a chill in the private investment in public equity (PIPE) market and several regulatory setbacks, early returns on SPAC performance fuel optimism for a similarly robust 2022—even if this largely nascent asset class must continue to adapt. This discussion examines the outlook of SPAC activity today. Will momentum persist despite looming legislative, legal, or market-wide storm clouds ahead?

Moderator:

Heidi Mayon, *Partner*, Simpson Thatcher & Bartlett LLP

Panelists:

Ahmed M. Fattouh, *CEO & Founder*, InterPrivate

Louis Lehot, *Partner*, Foley & Lardner LLP

Patrick Sturgeon, *Managing Partner*, Brookline Capital Markets

3:45pm – 4:00pm

Break

4:00pm – 5:00pm

Impact Tremors: Assessing APAC Deals in the New Risk Environment

In light of recent geopolitical developments, how bullish are dealmakers on APAC-region M&A heading into 2023? Will palpable momentum in hot sectors such as healthcare, semiconductors, media, telecom, and fintech continue to surge or might an emergent risk environment prove a (temporary) deterrent? Please join an accomplished panel of industry experts for a lively exploration of inbound and outbound deal interest amid extraordinary regional disruption.

Moderator:

Steven E. Brady, *Partner*, Withum

Panelists:

Pavan Jawanda, *Partner, McCarthy Tétrault LLP*
Yanhong Lin, *Managing Partner, CTIC Capital*
Jim Perkins, *Founder and Partner, Quantum Tech Partners*

5:00pm – 6:00pm

Conclusion & Reception