

Nick Monaghan

Member

San Antonio

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Areas Of Practice

Business Services
Corporate Finance
Securities
Mergers & Acquisitions
Mergers & Acquisitions Annual Survey

Bar Admissions

Texas, 2009

Education

- Notre Dame Law School, J.D., *magna cum laude*
- University of Arizona, B.A., *magna cum laude*

Nick is a business lawyer with extensive experience counseling businesses, entrepreneurs, and investors in connection with their significant transactions.

Nick concentrates his practice on complex corporate transactions and has significant experience advising clients in the acquisition and sale of businesses and assets. His acquisition experience includes counseling clients in all phases of the transaction, including the procurement of representations and warranties insurance. His deal team is adept in performing legal diligence in connection with acquisition transactions.

In addition to his business acquisition experience, Nick represents entrepreneurs and investors in connection with their business partnerships and investments. This representation includes the preparation and negotiation of company agreements, stockholders agreements and partnership agreements that govern the long term business relationship among owners. Investors in private companies frequently engage Nick to review private offering documents in connection with their potential investments. He also represents partners and investors in connection with their exit from such partnerships and arrangements.

Nick also has significant experience representing nonprofit entities, advising their directors and officers in connection with forming nonprofit organizations, obtaining tax exemptions for such organizations, and creating a practical governance structure.

Experience

- Advised a leading provider of managed hosting and private cloud solutions in connection with its acquisition of an Amazon Web Services (AWS) Partner Network (APN) Premier Consulting Partner and AWS Managed Service Provider
- Advised a Texas-based wealth management firm managing \$3.7 billion in client assets in its combination with a national wealth management and institutional investment advisory firm
- Advised a Milwaukee-based wealth management firm managing \$300 million in client assets in its sale to a national wealth management firm
- Represented a New Braunfels based water park operator in the sale of water parks and resorts to a publicly traded amusement park operator
- Represented a San Antonio based investment group in their minority investment in a restaurant venture

Nick Monaghan (Cont.)

- Counseled a Houston based credit union service organization in the acquisition of multiple insurance brokerage businesses
- Represented a San Antonio based printing and document management company in the sale of its business
- Represented a medical device company in connection with the purchase of substantially all the assets of one of its distributors
- Advised a San Antonio based, leading provider of managed hosting and private cloud solutions in connection with its acquisition of a full service Sales Force Platinum Consulting Partner and digital agency
- Counseled a San Antonio based credit union service organization in the purchase of a majority interest of a San Antonio based residential real estate brokerage firm
- Represented a family owned, San Antonio based company in the sale of its intermediate bulk container reconditioning and recycling operations to a national strategic operator
- Advised a San Antonio based, leading provider of managed hosting and private cloud solutions in connection with its acquisition of a managed services, managed hosting and colocation provider
- Represented a San Antonio based medical device and manufacturing company in the sale of its business to a global medical device company
- Advised a San Antonio based accounting firm in its sale to a top five national accounting firm
- Represented a family owned, San Antonio based company in the sale of its document storage business to a publicly traded company
- Counseled an El Paso based physician in the sale of his shares in a medical practice to his partner

Seminars & Speeches

ACG Central Texas' 7th Annual Private Equity Two-Step, co-presenter
November 5, 2019

Reps & Warranties Insurance: Shifting Indemnification Responsibility in Acquisitions, CLE Presentation, Association of Corporate Counsel of South/Central Texas
March 6, 2019

Precision Contracts: Advanced Principles for Drafters, CLE Presentation, Association of Corporate Counsel of South/Central Texas
March 7, 2018

Publications

"Potential legal pitfalls for advisers selling their firm"
August 3, 2020
Investment News

"Representations & Warranties Insurance and Why Business Acquisition Parties Should Consider It"
April 30, 2019
Insurance Coverage Law Report

"Representations & Warranties Insurance: The New Frontier in Private Deal Making"
Fall 2018
Association of Corporate Counsel - South/Central Texas

Memberships & Involvement

- Greater San Antonio Chamber of Commerce, Leadership San Antonio, Class 43

Nick Monaghan (Cont.)

Awards & Recognition

- *San Antonio Magazine*, "2019 Top Attorneys," Corporate Finance Mergers and Acquisitions
- *Texas Super Lawyers*® Rising Star in Business/Corporate, 2017-2020
- Recognized by *S.A. Scene* in "San Antonio's Best Lawyers" for Business & Corporate and Mergers & Acquisitions
- The Acorn, Member of the Board of Directors
- The Association of Corporate Growth, Vice President - Sponsorships
- *S.A. Scene*, "San Antonio's Rising Stars"
- J.L. Weigand, Jr. Notre Dame Legal Education Trust Award