

Phillip M. Slinkard

Member

Austin

One Congress Plaza
111 Congress Avenue
Suite 1800
Austin, TX 78701



T: 512-703-6321 F: 512-703-6399 pslinkard@dykema.com

Areas Of Practice

Business Services

Mergers & Acquisitions

Mergers & Acquisitions Annual Survey

Securities

Corporate Finance

Intellectual Property

Bar Admissions

Texas, 1982

Education

The University of Texas School of Law, J.D., *with honors*, member of Texas Law Review, Chancellors, Order of the Coif, 1982

University of Oklahoma, B.B.A., *with special distinction*, 1979

For 30 years, Phil Slinkard has counseled companies throughout the U.S. regarding corporate and business law strategy. He advises on mergers and acquisitions, corporate governance, securities law compliance, contract negotiation, litigation strategy, trade secrets, copyrights, covenants not to compete, franchising, intellectual property licensing, executive compensation and employee stock options. He often acts as outside general counsel to companies without an in-house legal team, helping them develop and manage their business plans and growth strategies.

Experience

Areas of Emphasis

- Mergers and acquisitions
- Corporate law
- Corporate governance issues
- Representation of technology companies
- Representation of franchisees, licensors and licensees

Mergers & Acquisitions

- Represented private health care software company in \$62 million acquisition by private equity firm
- Represented private, scrap metal recycling company in \$35 million acquisition by public company
- Coordinated corporate restructure, re-financing, acquisitions, and ultimately private equity recapitalization for a major pre-school operator
- Coordinated contemporaneous private offering and acquisition of health care related businesses
- \$400 million sale of dairy businesses
- Representation of distressed franchisees in sales of stores to (i) an existing franchisee of the same system, and (ii) franchisor
- Representation of franchisee in termination of franchise agreements and noncompete provisions therein

Corporate Strategy

Phillip M. Slinkard (Cont.)

- Representation of closely-held SaaS company in spin-out of separate line of business and subsequent sale to public company
- Representation of security business in restructure in anticipation of new product line and new investors
- Representation of numerous franchisees in connection with franchise and development agreements
- \$24 million PIPE (Private Investment in Public Equity) for technology company
- Represented furniture wholesaler in private equity recapitalization
- Orchestrated successful litigation strategy to oppose attempt to lock up a significant shareholder in an initial public offering
- Extensive drafting of corporate governance guidelines, codes and committee charters for NYSE and NASDAQ companies
- Devised and effected strategies to allow businesses or major equity owners to separate without litigation

Seminars & Speeches

The Second Installment: Deal Killers – Hot Button Diligence Issues That Can Derail Transactions, Association for Corporate Growth Austin/San Antonio, 8th Annual Private Equity Two Step
December 4, 2020

“What’s Your Exit Strategy?” Business Transition & Succession Seminar Hosted by Dykema, Padgett Stratemann and Statesman Corporate Finance, May 7th, Austin
May 7, 2014

Publications

“The Many Facets of the Attorney-Client Privilege in Mergers and Acquisitions”
July 17, 2015
Metropolitan Corporate Counsel

Phil Slinkard Advises on “Cooking Up a Succession Plan,” Austin Business Journal
February 7, 2014

News

Phil Slinkard Authors Article on Attorney-Client Privilege in M&A for *Metropolitan Corporate Counsel*
July 17, 2015

Memberships & Involvement

- Association for Corporate Growth, Austin-San Antonio Chapter
 - Board Member, 2019
 - Speakers Committee, 2015-2018

Community/Civic Activities

- Rachel's Challenge, Chairman of the Board, 2013 - present
 - Board Member, 2011- present
- Board of Directors, American Heart Association, Austin Area Division, 2004-2008
 - Chairman of the Board, Austin Area Division, 2008-2009

Phillip M. Slinkard (Cont.)

Awards & Recognition

- Named a Leading Lawyer in Corporate/M&A by *Chambers USA*, 2020
- Named as "Lawyer of the Year" in Securities/Capital Markets Law by *The Best Lawyers in America*® in 2021. Copyright 2015 by Woodward/White, Inc., Aiken, SC
- Recognized in *The Best Lawyers in America*® for Corporate and Securities/Capital Markets Law, 2006-Present. Copyright 2015 by Woodward/White, Inc., Aiken, SC
- Recognized in *Texas Super Lawyers*® for Business/Corporate Law, Mergers & Acquisitions, and Securities & Corporate Finance, 2004-2010, 2014-2019
- "Texas Super Lawyer," in *Business / Corporate Law, Texas Monthly*, 2014