Tax provisions are a staple in many private M&A and investment fund documents. Yet, there is no comprehensive source that catalogs the various provisions, gives examples of alternative drafting approaches, and offers an in-depth analysis of the tax language.

*Drafting Tax Provisions for Private M&A and Investment Funds* by Ivan Mitev provides practical guidance, and comprehensive source as well as sets the benchmark for tax documents and precedents related to the investment fund and private M&A industry. It covers tax provisions in the most pertinent documents that concern investment funds and the private M&A practitioner. With examples of multiple drafting approaches it reads as a compendium of provisions, and offers various negotiation points. The clauses and other provisions have been compiled from multiple public sources such as EDGAR, FOIA requests, exhibits of court filings, or other precedent that the author has seen in practice. Also included is a survey of state law cases, where applicable, that illustrate some of the legal controversies that could arise from the tax provisions in the deal-documents covered by this title.

Ivan Mitev is of counsel to the firm of Pillsbury Winthrop Shaw Pittman LLP. Mr. Mitev’s practice focuses primarily on the domestic and international aspects of private equity and hedge fund taxation, and the formation, recapitalization, merger, sale, and liquidation of partnerships and LLCs.
Below you will find the Table of Contents for Drafting Tax Provisions for Private M&A and Investment Funds. Included are documents that represent the most essential elements of the investment fund and private M&A deal workflow. The documents are organized in separate chapters with subsections covering the various tax provisions within the document. As newer drafting approaches, substantive law changes, or other material changes occur, the title will be updated with additional drafting alternatives and content. This title was reviewed by attorneys at Leech Tishman Fuscaldo & Lampl LLC.

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