

2019 ABA PRIVATE TARGET MERGERS ACQUISITIONS DEAL POINTS STUDY

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U.S. Corporate/M&A Alert

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The American Bar Association's (ABA) Business Law Section has released its 2019 Private Target Deal Points Study (the "Study"), the flagship product of the Market Trends Subcommittee of the Mergers and Acquisitions Committee. This publication is widely recognized as the gold standard for market metrics of key negotiated legal issues in acquisitions of U.S. private companies. K&L Gates partner [Jessica Pearlman](#) is Chair of the Study (a role she has held for over ten years), leading the effort of the 50-member working group including K&L Gates partners [Calvina Bostick](#), [Shoshanna Katz](#), and [Remsen Kinne](#).

The Study is the preeminent study of M&A transactions, utilized internationally by practitioners, investment bankers, corporate development teams, and other advisors. It examines the prevalence of specified provisions in 151 publicly-available private target M&A transactions from 2018 and the first quarter of 2019 with a purchase price between \$30 million and \$750 million.

Although the 151 deals in the 2019 Study reflect a broad swath of industries, technology and health care together made up nearly 40% of the deals. The Study shows a dramatic increase in references to the use of representations and warranties insurance (now in over half of the deals). New this year to the Study is data on three representations regarding #metoo, data privacy, and cybersecurity and additional correlations showing how the increased usage of representations and warranties insurance impacts indemnification provisions.

The 2019 Private Target Deal Points Study is available for download by M&A Committee members from the Market Trends Subcommittee's page on the ABA's [website](#). More information about the study is available by contacting [Jessica Pearlman](#).

KEY CONTACTS



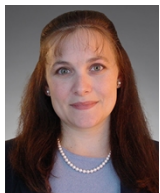
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