

Erin L. Fogarty

Partner

Miami
+1.305.539.3385

Erin.Fogarty@klgates.com

OVERVIEW

Erin Fogarty is a partner in the firm's Corporate practice and Securities Compliance and Reporting practice group. She represents companies and investment funds in public and private offerings of debt, equity, and convertible securities and advises them on compliance with the reporting requirements of the federal securities laws, Sarbanes-Oxley, and NYSE and NASDAQ rules and regulations as well as providing general corporate representation. She also advises financial sponsors and strategic buyers and sellers in connection with mergers, acquisitions, joint ventures, and similar transactions.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Erin was a corporate associate in the New York office of an international law firm. She also previously taught English in Chile and Ecuador.

ACHIEVEMENTS

- Recognized in *Best Lawyers: Ones to Watch® in America,* Corporate Law, 2024

EDUCATION

- J.D., New York Law School, 2009 *(magna cum laude; New York Law School Law Review, Articles Editor)*
- B.A., New York University, 2004

ADMISSIONS

- Bar of Florida
- Bar of New York

LANGUAGES

- Spanish

THOUGHT LEADERSHIP *POWERED BY HUB*

- 8 September 2026, Venezuela's Reopening: Investment, Infrastructure, and Technology Opportunities in a Rebuilding Latin America
- 30 April 2025, April and March 2025 Accolades
- 4 May 2023, SEC Modernizes Share Repurchase Rules With New Repurchase Disclosures
- 20 December 2022, SEC Adopts Amendments to Rule 10b5-1 Insider Trading Plans and Related Matters
- 10 November 2022 , Seven Years in the Making: The SEC Finally Adopts Final Clawback Rules

NEWS & EVENTS

- 14 April 2026, K&L Gates Advises Dolphin Entertainment, Inc. on US$15 Million PIPE Investment
- 12 January 2026, K&L Gates Advises Lightwave Logic, Inc. on US$35 Million Underwritten Public Offering
- 19 August 2025, K&L Gates Advises Anavex Life Sciences Corp. on US$150 Million Offering
- 8 May 2025 , K&L Gates Advises AI Technology Company on Initial Public Offering
- 13 December 2024, K&L Gates Guides League One Volleyball in its Purchase of Assets
- 6 December 2024, K&L Gates Advises Dolphin Entertainment in Acquisition of Elle Communications
- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform

OTHER MEDIA MENTIONS

- Mentioned, “Dolphin Entertainment: Acquires Special Projects for $5 Million,” *Troubled Company Reporter*, 17 October 2023
- Mentioned, "Dolphin Entertainment Acquires Socialyte and Lytehouse for Undisclosed Amount," *WWD*, 14 November 2022

AREAS OF FOCUS

- Capital Markets
- Corporate Governance
- Mergers and Acquisitions

- Public Companies
- Securities Compliance and Reporting

INDUSTRIES

- Life Sciences

REPRESENTATIVE EXPERIENCE

- Represented LiqTech International Inc. (NASDAQ: LIQT), manufacturer of ceramic silicon carbide filters and membranes and a developer of automated filtration systems, in its underwritten public offering of US$20 million of common stock. Represented LiqTech in a simultaneous debt cancellation that involved repayment of US$3 million of senior debt and the cancellation of US$3 million more in exchange for shares of common stock in a concurrent private placement.
- Advised Anavex Life Sciences Corp. (NASDAQ: AVXL) in a US$150 million at-the-market public offering of common stock with TD Securities (USA) LLC acting as placement agent. New York, New York-based Anavex is a clinical-stage biopharmaceutical company focused on developing innovative treatments for Alzheimer's disease; Parkinson's disease; schizophrenia; neurodevelopmental, neurodegenerative, and rare diseases, including Rett syndrome; and other central nervous system disorders.
- Represented Dolphin Entertainment, Inc. (NASDAQ: DLPN), a Florida-headquartered provider of the entertainment industry’s independent collection of A-list marketing companies, in its acquisition of all of the issued and outstanding membership interests of Elle Communications, LLC.
- Advised Florida-based Premium Installation & Design South LLC, a leading provider in home automation design and installation, in its combination with Florida-based Innovative Technology Solutions & Security LLC, a provider of cutting-edge services that cater to various technology needs.
- Represented Kingswood Capital Partners, LLC as the lead book-runner in the initial public offering of SolarMax Technology, Inc. (NASDAQ: SMXT), a Riverside, California-based integrated solar and renewable energy company that engages in the solar business. Kingswood Capital Partners, LLC is one of the leading wealth management and investment banking firms headquartered in New York City, New York.
- Represented Dolphin Entertainment Inc. (NASDAQ: DLPN) in its acquisition of all of the outstanding equity interests of Socialyte, LLC. Also advised Dolphin in its negotiation with BankProv for a five-year, US$3 million term loan to finance the acquisition, along with a delayed draw loan to fund the earn-out, if earned, and a revolver for operations.
- Represented A&J Manufacturing, Inc., d/b/a Char-Griller, in the sale of Char-Griller, a company which designs and sells residential outdoor charcoal and gas cooking equipment.
- Represented Global Resale, a Brightstar Capital Partners portfolio company, in its acquisition of Tech Trade Partners, a privately-held company specializing in the acquisition, refurbishment, repair, resale, and proper disposition of pre-owned and off-lease IT equipment. Global Resale is a Texas-based leading provider of

lifecycle management solutions for technology assets. The transaction strategically combined Tech Trade's extensive talent base and strong e-commerce capabilities with Global Resale's broad range of services and extensive remarketing relationships.

- Represented QualTek USA, LLC in its acquisition of Broken Arrow Communications, Inc. ("BACOM"), a New Mexico-based private company that provides services for the installation, construction, and maintenance of wireless communication facilities. QualTek USA, LLC provides communication infrastructure construction services.
- Represented Enochian Biosciences, a Los Angeles-based biopharmaceutical company focused in identifying, developing, manufacturing, and commercializing gene-modified cell therapy, in its Registered Direct Offering of US$29 million of common stock. H.C. Wainwright & Co., an investment bank in New York City, acted as Placement Agent. The client's stock surged at the morning bell and SPA was signed by 2:30 P.M., with no previous arrangement or agreement in existence between the parties.
- Represented QualTek USA, LLC in its all-assets acquisitions of: a leading wireline installation and engineering services company in Canada, a cable and network installation company with operations across the United States, Recovery Logistics, LLC, a leading provider of business continuity and disaster recovery services, Site Resources, LLC, a company that does repairs and maintenance of wireless network infrastructures, Vertical Limit LLC, a provider of infrastructure services to the wireless telecommunications industry and Vinculums Services, LLC, the leading infrastructure service provider for wireless operators throughout the Western United States.
- Represented a private equity client in the formation of a incentive plan for the management of one of its portfolio companies.
- Represented the issuer in a private offering of convertible senior secured notes to a Florida-based private equity fund.
- Represented investment banking firms in their investments in senior secured promissory notes from a public company issuers.
- Represented a Chinese company with an Australian listing in preparation of all the disclosure documents for its U.S. initial public offering
- Represented a small international shipping company based in the Channel Islands in its acquisition of a minority interest in a Florida based shipping company
- Represented Anavex Life Sciences Corp. in its US$50 million at-the-market offering program with Cantor Fitzgerald
- Represented Lightwave Logic, Inc. in its acquisition of the polymer business of BrPhotonics Productos Optoelectrónicos S.A., a Brazilian company
- Represented NeoGenomics, Inc. in its acquisition of all of the outstanding equity of Genoptix, Inc., a leading clinical oncology laboratory as well as its acquisition of the assets of the Oncology Division of Human Longevity, Inc.

- Represented NeoGenomics, Inc. in its primary public offerings of common stock and convertible debt, as well as a secondary offering of equity by its largest shareholder.
- Represented Grifols inconnection with its exchange offer of the existing U.S. publicly traded stock of the target for newly registered ADRs of Grifols. Represented the issuer through the initial public offering process for a foreign private issuer and in the years following regarding their reporting obligations.
- Represented an Italian electric utility company in its offering and listing on the Irish Stock Exchange of €2.7 billion of hybrid capital securities
- Represented one of the leading food suppliers in the UK in its initial debt issuance of £400 million of 9 7/8% senior notes and €340 million of 9 3/4% senior notes to finance its acquisition of a UK public company
- Represented a Costa Rican food and beverage company in connection with its acquisition of a U.S. brewing company
- Represented a Canadian public company with oil and gas operations principally in South America as issuer in connection with a number of Rule 144A/Reg. S offerings including: of $300 million of 7.25% senior unsecured notes, $1.0 billion in 5.125% senior unsecured notes, $1.3 billion in 5.375% senior unsecured notes along with a reopening of the 7.25% senior unsecured notes with an additional $300 million of notes
- Represented a Colombian banking institution as issuer in connection with two Rule 144A/Reg. S offerings including: of $250 million of 7.5% senior subordinated notes and $300 million in 3.875% senior notes
- Represented a Peruvian mining company with operations in Peru and Chile as a first time issuer in connection with a Rule 144A/Reg. S offering of $350 million of 4.625% senior notes
- Represented Grifols, S.A. in the financing its acquisition of a U.S. public pharmaceutical company, through $1.1 billion of 8.25% senior notes. Later represented the issuer in its refinancing of its 8.25% notes with a new issuance of $1.0 billion of 5.25% senior notes.
- Represented Dolphin Entertainment in its acquisitions of all of the equity of Be Social Public Relations, LLC and B/HI Communications, Inc.
- Represented Brightstar Capital Partners in its acquisition of Brightstar Corp. from a Softbank affiliate.
- Represented Dolphin Entertainment in its registered direct offering of common stock