

Eric N. Feldman

Partner

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OVERVIEW

Eric Feldman is a partner in the firm. He practices in the areas of alternative entities and general business, focusing primarily on issues relating to the utilization of Delaware alternative entities, such as limited liability companies, general and limited partnerships, statutory trusts, and special purpose corporations, in all types of domestic and cross-border business and commercial transactions. These include mergers and acquisitions; joint ventures; securitizations; structured finance; venture capital; private equity; hedge funds; master limited partnerships; special purpose and bankruptcy remote entity structures; public and private offerings; limited liability company and trust preferred securities transactions; and Tier 1 capital transactions.

Eric also has extensive experience advising clients on issues relating to the organization, operation, management, governance, dissolution, and winding-up of alternative entities, the duties, fiduciary and otherwise, of general partners, managers, directors, special committees and trustees of such entities, and the structuring and restructuring, including through mergers, conversions, transfers and domestications, of such entities.

In addition, Eric regularly represents financial institutions in a variety of roles in which they serve in financing and secured transactions, including as trustee, indenture trustee, collateral agent, escrow agent, paying agent, and independent manager/director.

Eric's practice often involves authoring opinion letters relating to Delaware entities, as well as rendering advice and legal opinions relating to the creation and perfection of security interests under Delaware law, including the Delaware Uniform Commercial Code.

Additionally, Eric is experienced in providing support to litigators with respect to litigation and arbitration matters, both in the Delaware Court of Chancery and in other domestic and international courts, involving Delaware alternative entities, including serving as an expert witness in such matters.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Corporate/M&A: Alternative Entities in Delaware, 2007-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer for Delaware Counsel, 2024-2025

- Recognized in *The Best Lawyers in America*® for Corporate Law, Securitization and Structured Finance Law, and Public Finance Law, 2018-2023

PROFESSIONAL / CIVIC ACTIVITIES

- Delaware State Bar Association: Corporation Law Section; Alternative Entities Subcommittee (the committee responsible for drafting Delaware's pre-eminent limited liability company and partnership statutes); Commercial Law Section; Ad Hoc Committee on Proposed Ownership Legislation
- American Bar Association: Business Law Section; Vice Chair of the LLCs, Partnerships and Unincorporated Entities (LPUE) Committee; Business Law Section Advisor to the National Conference of Commissioners on Uniform State Laws Drafting Committee on Uniform Law Enforcement Access to Entity Information Act; Chair of the LPUE Committee's Record Owners Legislation Task Force; LPUE Committee representative to the Business Law Section Joint Task Force on Anti-Money Laundering and Anti-Terrorism Initiatives; Editorial Board member of the LPUE Committee's Model Single Member Limited Liability Company Operating Agreement Subcommittee ; Mergers and Acquisitions Committee; Legal Opinions Committee; Private Equity and Venture Capital Committee

SPEAKING ENGAGEMENTS

Eric has spoken at numerous legal and banking seminars and webinars on matters of alternative entity law, including the American Bar Association (ABA) Annual Meeting, the ABA Business Law Section Spring Meeting, the LLCs, Partnerships and Unincorporated Entities Committee of the ABA Business Law Section Annual Meeting, the Annual Symposium on Delaware Business Entity Law, the annual Delaware State Bar Association program sponsored by the Alternative Entities Subcommittee and the American Bankers Association Capital Markets Seminar.

EDUCATION

- J.D., Georgetown University Law Center, 1997 *(cum laude; Primary Editor, The Tax Lawyer, 1996-97)*
- B.A., University of North Carolina at Chapel Hill, 1993 *(with Distinction; Phi Beta Kappa)*

ADMISSIONS

- Bar of Delaware
- United States District Court for the District of Delaware

THOUGHT LEADERSHIP *POWERED BY HUB*

- 4 December 2024, Breaking CTA Alert—Nationwide Injunction Issued Against US Corporate Transparency Act

- 6 March 2024, When Transparency Becomes Opaque: District Court Finds Corporate Transparency Act Unconstitutional
- 15 August 2023, Complying With FinCEN's Beneficial Ownership Reporting Rules Under the Corporate Transparency Act
- 18 February 2021, Beneficial Ownership Reporting Requirements under the New Corporate Transparency Act – Main Street meets the Feds
- 1 August 2019, 2019 Amendments Affecting Delaware Alternative Entities
- 24 July 2018, 2018 Amendments Affecting Delaware Alternative Entities
- 11 July 2016, Chancery Court Enforces Good Faith Standard of Care in Limited Partnership Agreement
- 15 March 2016, Chancery Court Grants Summary Judgement for Advancements of Fees and Expenses
- 16 December 2015, Chancery Court Grants in Part and Denies in Part Motion to Dismiss in Fraud Dispute

OTHER PUBLICATIONS

- "Complying With FinCEN's Beneficial Ownership Reporting Rules Under the Corporate Transparency Act," *Real Estate Finance Journal*, Winter 2023

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 1 March 2023, K&L Gates Advises Microsoft on Continued Investment in ChatGPT Creator OpenAI
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 3 March 2022, K&L Gates Advises Vertical Bridge in $1.4 Billion Asset-Backed Securitization
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 13 July 2021, K&L Gates Launches Expanded Guidebook on Doing Business in the United States
- 24 May 2021, Chambers USA 2021 Guide Recognizes K&L Gates Corporate Practice, Lawyers Among Leaders

- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide
- 24 July 2019, K&L Gates Advises Microsoft on US$1 Billion Equity Investment in OpenAI
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders
- 4 October 2017, K&L Gates Advises on Tokyo Century Corporation
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide
- 20 May 2015, Chambers USA 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders

AREAS OF FOCUS

- Mergers and Acquisitions
- Corporate and Acquisition Finance
- Corporate Governance
- Debt Capital Markets
- Emerging Growth and Venture Capital
- Energy Finance
- Private Equity Transactions
- Real Estate Finance
- Restructuring and Insolvency
- Securitization and Structured Finance

INDUSTRIES

- Energy
- Financial Services
- Private Equity