

David L. Concannon



Partner

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David's practice includes significant experience in general corporate and securities work with an emphasis on capital markets, merger and acquisition and venture capital transactions for technology companies, specifically formation and organization of start-ups, venture capital financings, public offerings of debt and equity securities, public and private mergers and acquisitions, restructurings, joint ventures and other corporate partnering arrangements, and counseling regarding, among others, general corporate matters, financings, mergers and acquisitions and securities law compliance for public and private corporations.

REPRESENTATIVE EXPERIENCE

Representative venture capital transactions include:

- Counsel to GRP Partners and IA Venture Strategies Fund I, LP in connection with \$6 million Series A Preferred Stock financing of Datasift Inc.
- Counsel to IA Venture Strategies Fund I, LP and other investors in connection with \$1 million seed financing of Coursekit, Inc.
- Counsel to IA Venture Strategies Fund I, LP and other investors in connection with \$3 million Series Seed Preferred Stock financing of Kohort, Inc.
- Counsel to Aristotle Circle, Inc. in connection with \$2 million Series B Preferred Stock financing
- Counsel to agri.capital in connection with €30 million Series G Preferred Stock financing
- Counsel to Aristotle Circle, Inc. in connection with \$560 thousand Series A Preferred Stock financing
- Counsel to Urgent Group Inc. in connection with Series A Preferred Stock financing
- Counsel to agri.capital in connection with €60 million Series F Preferred Stock financing
- Counsel to agri.capital BioMethan GmbH in connection with €10 million mezzanine debt financing
- Counsel to Selerity Financial in connection with Series A Preferred Stock financing
- Counsel to Aisling Capital II, LP in connection with Series A Preferred Stock financing of Dynova Laboratories, Inc.
- Counsel to IA Capital Partners and Urgent Ventures in connection with Series A Preferred Stock financing of Zoomino.com, Inc.
- Counsel to Monitor110, Inc. in connection with \$11 million Series C Preferred Stock financing

INDUSTRIES

Alternative Energy
Biofuels
Biotechnology, Life Sciences and Medical Devices
Clean Technology
Credit Financing
Electric
Energy
Energy Transactions
Finance
Health Care
Internet/E-Commerce
Investment Funds
Liquefied Natural Gas (LNG)
Oil and Gas
Private Equity
Software/Electrical
Solar Energy
Technology
Technology and Emerging Companies
Venture Capital
Wind Energy

PRACTICES

Corporate
Governance
Private Equity
Technology and Emerging Companies

EDUCATION

JD, 1990, Vanderbilt University School of Law
AB, 1987, University of Michigan

ADMISSIONS

Missouri 1994

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New York 1992

- Counsel to IA Capital Partners in connection with Series A Preferred Stock financing of Buddy Media, Inc.
- Counsel to United BioFuels Europe Cayman Holdings Ltd. in connection with €10 million Series C Preferred Stock financing
- Counsel to IA Capital Partners in connection with Series A Preferred Stock financing of MyTrade.com, Inc.
- Counsel to Monitor110, Inc. in connection with \$5 million Series B Preferred Stock financing
- Counsel to United BioFuels Europe Cayman Holdings Ltd. in connection with \$25 million Series B Preferred Stock financing
- Counsel to UR Power GmbH in connection with €12.5 million Series C Preferred Stock financing
- Counsel to George Soros in connection with \$14 million Series A Preferred Stock financing of LabNow, Inc.
- Counsel to Perseus-Soros BioPharmaceutical Fund, L.P. in connection with \$48 million Series C Preferred Stock financing of Avera Pharmaceuticals, Inc.
- Counsel to Perseus-Soros BioPharmaceutical Fund, L.P. in connection with \$8 million Series B Preferred Stock financing of ArgiNOx Pharmaceuticals, Inc.
- Counsel to Currenex, Inc. in connection with \$3.75 million Series B-1 Preferred Stock financing
- Counsel to Perseus-Soros BioPharmaceutical Fund, L.P. in connection with \$37 million Series A Preferred Stock financing of CardioKine, Inc.
- Counsel to TL Ventures and affiliates in connection with \$15 million Series B Preferred Stock financing of Circadian Systems, Inc.

Representative capital markets transactions include:

- Counsel to selling shareholders in connection with initial public offering of common stock of OpenTable, Inc.
- Counsel to Hydrogenics Corporation in connection with \$84 million initial public offering of common shares
- Counsel to Merrill Lynch, Pierce, Fenner & Smith Incorporated as underwriter in connection with \$90 million initial public offering of common stock of Adolor Corporation
- Counsel to Merrill Lynch, Pierce, Fenner & Smith Incorporated as underwriter in connection with \$240 million initial public offering of class A common shares of Iridium World Communications Ltd.
- Counsel to RightChoice Managed Care, Inc. in connection with \$35 million initial public offering of common stock
- Counsel to Vanguard Airlines, Inc. in connection with initial public offering of common stock
- Counsel to American Safety Razor Company in connection with \$60 million initial public offering of common stock

Representative merger and acquisition transactions include:

- Counsel to agri.capital in connection with €300 million investment by Alinda Capital Partners

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- Counsel to Dynova Laboratories, Inc. in connection with cash and stock acquisition of SiCap Industries, LLC
- Counsel to Atlas Holdings LLC in connection with cash acquisition (merger) of Pangborn Holdings Inc.
- Counsel to Currenex, Inc. in connection with its \$564 million cash sale to State Street Corporation
- Counsel to agri.capital GmbH in connection with spinoff of its vegetable-oil fueled power plant division
- Counsel to agri.capital GmbH in connection with spinoff of its Hungarian ethanol-biogas power plant division
- U.S. Counsel to Apax Partners in connection with £173 million asset purchase of Regent Biogel and Hibi businesses from SSL International plc.
- Counsel to PSINet Consulting Solutions Holdings, Inc. in connection with its sale of the assets of its Enterprise Solutions Division
- Counsel to BevAccess.com, Inc. in connection with acquisition of The Beverage Media Group, Ltd.
- Counsel to Axsys Technologies, Inc. in connection with divestiture of Beau Interconnect division
- Counsel to Forstmann Little & Co. in connection with \$2.4 billion cash sale (stock) of Ziff-Davis Holdings Corp. to Softbank Corporation
- Counsel to Columbia/HCA Healthcare Corporation in connection with the \$1.4 billion cash acquisition (tender offer) of Value Health, Inc.
- Counsel to Forstmann Little & Co. in connection with \$1.4 billion cash acquisition (tender offer) of Community Health Systems, Inc.
- Counsel to Guardian Royal Exchange Assurance Ltd. in connection with \$1.2 billion cash acquisition of ING US P&C Corporation
- Counsel to AEA Investors Inc. in connection with \$70.0 million stock purchase of Manchester Tank & Equipment Co.

PUBLICATIONS

- "Option Exchange Programs: Practical Considerations in Implementing Programs After the SEC's Exemptive Order" *M&A Lawyer* (May 2001)

PROFESSIONAL RECOGNITION

- Top 20 NYC Start Up Lawyers, Chubby Brain Blog
- New York Super Lawyers 2007, 2009, 2010 and 2011 in Securities & Corporate Finance, *Metro Magazine* (September 2007, October 2009 and 2010)

BRIEFINGS, SEMINARS & SPEECHES

- 23rd NREL Industry Growth Forum (October 19, 2010)
- The 22nd National Renewable Energy Laboratory (NREL) Industry Growth Forum (November 3, 2009)

Moderator - 2009 Wind Power Finance and Investment Summit

Speaker - "Representing High-Tech Clients," *Harvard Journal of Law and Technology* (September 2001)

AFFILIATIONS

- New York State Bar Association
- New York New Media Association
- American Bar Association

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PRESS RELEASES

- Andrews Kurth Partners Named in New York Super Lawyers and Rising Stars 2011 (September 20, 2011)
- Six Andrews Kurth Partners Named in New York Super Lawyers 2010 (September 21, 2010)
- Andrews Kurth Launches Start-Up Organization Package (January 28, 2010)
- Six Andrews Kurth Partners Named in New York Super Lawyers 2009 (October 5, 2009)
- Six Andrews Kurth New York Partners Named in New York Super Lawyers 2007 (September 25, 2007)
- Clean and Renewable Energy Practice Earns No. 2 U.S. Ranking (June 13, 2007)