



Mary Beth Kerrigan

Member

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An experienced corporate and business attorney, Mary Beth's practice focuses on representing technology-based companies from formation through liquidity event.

Her practice includes advising clients with respect to angel financings, venture capital financings, and mergers and acquisitions. She also provides general corporate advice to her clients on such matters as capital structure, corporate governance, shareholder agreements, equity and executive compensation, licensing agreements, joint ventures, strategic alliances, and other intellectual property matters. In addition to representing companies, Mary Beth also represents venture capital funds and other institutional investors in connection with their investments in portfolio companies.

Mary Beth is a current member of the firm's Advisory Committee, a former member of the Associate Committee, and previously chaired the Start-up and Venture Capital Practice Group.

Representative Matters

- Represented IVES Group, Inc., a leading provider of relational online market intelligence, due diligence, and risk assessment tools, in connection with its sale to Ideagen plc.
- Represented Family Law Software, the leading workflow software for family law legal practices, in connection with its sale to Centerbase.
- Represented Philips, a global healthcare technology company, in connection with its acquisition of Medumo and in connection with multiple investments in portfolio companies.
- Represented Meeting Play, a pioneer in hybrid event technology, in connection with its investment by Sunstone.

Education

New England School of Law, J.D., *magna cum laude*

Tufts University, B.A., *magna cum laude*

Admissions

Massachusetts Bar

Practice Areas

Corporate

Licensing & Strategic Alliances

Mergers & Acquisitions

Startups & Emerging Companies

Venture Capital

Industries

Educational Institutions & Hospitals

Recognition

- Represented Koya Leadership Partners, a search firm focused on non-profits, in connection with its sale to Diversified Search.
- Represented Cytel, a global provider of software and services to the life sciences industry, in connection with its acquisition of multiple companies, including Laiya Consulting, Purple Squirrel, MTEK and Axio Research.
- Represented Custom MMIC, a leading supplier of microwave integrated circuits, in connection with its sale to Qorvo.
- Represented Gutbrain Ventures, a Boston venture capital firm, in connection with its investment in various portfolio companies.
- Represented HLM Venture Partners, a Boston venture capital firm, in connection with its investment in various portfolio companies.
- Represented Blue Earth Diagnostics, a molecular imaging diagnostics company, in connection with its sale to Bracco Imaging.
- Represented ZiipRoom, Inc., an innovative developer of productivity and connectivity software for meeting rooms, conferences and devices, in connection with its sale to Bose Corporation.
- Represented Continuum Innovations LLC, a global innovation design firm, in connection with its sale to EPAM Systems, Inc.
- Represented Silverlink Communications, Inc., a proven leader in engagement management technology for healthcare organizations, in connection with several rounds of venture capital financing from investors including Sigma Partners and HLM Venture Partners, and its ultimate sale to Welltok.
- Represented Azimuth Systems, Inc., a leading provider of automated, real-world mobile performance test solutions, in connection with several rounds of venture capital financing from investors including North Bridge Venture Partners and Kodiak Venture Partners, and its ultimate sale to Anritsu.
- Represented Aveksa, Inc., a leading provider of business driven identity and access management solutions, in connection with its sale to EMC.
- Represented Prospectiv Direct, Inc., a leader in online performance marketing, as general outside counsel and in connection with its sale to Affinion.
- Represented Pixtronix, Inc., a creator of multimedia display screens, as general outside counsel, in connection with several rounds of venture capital financing and in connection with its sale to Qualcomm.
- Represented Entagen, LLC, an informatics company offering semantic search and navigation software and customer development services, as outside general counsel and in connection with its sale to Thomson Reuters.
- Represented Kepha Partners, a Boston venture capital firm focused on pre-seed, seed and Series A companies, in connection with its investments in various portfolio companies.
- Represented Help Scout, a provider of help desk support for businesses, in connection with venture capital financings from investors including the Foundry Group and Converge.

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MA Super Lawyers, 2021–2023

MA Rising Stars, 2007

Affiliations

American Bar Association

Launchpad Venture Group

USA 500 Clubs

Kids4Peace, Board Member

Speaking Engagements

- Moderator, M&A Transaction Readiness, 2019 VC and M&A Forum
- Panelist, Funding Environment in New England, The Startup Coalition
- Panelist, Legal Skills Bootcamp for the Transactional Attorney, Massachusetts Bar Association
- Moderator, M&A Transaction Readiness, 2018 VC and M&A Forum
- Panelist, Trends in the Funding Environment in New England, The Startup Coalition
- Speaker, Management Carve-Out Plans in M&A Transactions, Boston Bar Association
- Panelist, Venture Backed M&A: Special Considerations, American Bar Association
- Guest lecturer at Tufts University

- Guest lecturer at Babson's MBA program
- Panelist, Shattering the Bamboo Ceiling, The Business Coalition / Showa Boston Institute
- Speaker, Raising Money From Friends and Family – How to Do it Right, The Enterprise Center at Salem State University

VIDEO: Mary Beth Kerrigan discusses representations and warranties in M&A transactions.

VIDEO: Mary Beth Kerrigan describes post-closing indemnifications in M&A transactions.

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Publications

- The Price of Growth: Founders' Dilution, *Xconomy*
- Voting Agreements: Designation and Removal of Directors
- Delaware Decision Calls Into Question the Value of Preferred Stockholder "Blocking Rights"
- Merger Price Upheld in 'American Idol' Transaction
- Exits for Venture-Backed Companies: Is the Timing Right?
- Chen v. Howard-Anderson: Summary Judgment Granted to Defendant Directors In Connection With Sales Process
- Forum Selection Clauses
- Top Ten Issues in M&A Transactions

- Fiduciary Duty Obligations to Common Stockholders: Management Carve-Out Plans

- Disclosure Obligations for Stockholder Notices
- Motivating and Retaining Employees with a Bonus/Carve-Out Plan
- Founders' Equity
- The Price of Growth – The Lifecycle of a Company from a Founder's Dilution Perspective

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