

## Paul J. Foley

### Partner

1001 West Fourth Street , Winston-Salem , NC USA 27101

t 336.607.7389 | f 336.793.4876

pfoley@kilpatricktownsend.com

The Grace Building

1114 Avenue of the Americas , New York , NY USA 10036

t 212.775.8712 | f 212.775.8803

pfoley@kilpatricktownsend.com

### Services

Business & Finance

Emerging Companies

Investment Management

Mergers & Acquisitions

Private Equity

Real Estate Investment &

Development

Securities

### Industries

Financial Services



### Education

University of North Carolina at Chapel Hill School of Law , J.D., Law (0) *with honors*

Queens University of Charlotte , B.A., Business Administration, Undergraduate (0) *magna cum laude*

### Admissions

North Carolina

District of Columbia

New York

### Professional & Community Activities

Paul Foley concentrates his practice in the areas of securities and corporate law, with a particular focus on investment fund formation, investment adviser regulation, and corporate representation, including mergers and acquisitions.

Mr. Foley regularly represents investment advisers, hedge funds, mutual funds, private equity funds, venture capital funds, funds of funds, institutional investors, broker-dealers, financial institutions and other entities with regard to complex federal and state securities regulatory matters.

**Investment Fund Formation.** Mr. Foley regularly advises clients on structuring, forming, and offering investment funds, including hedge funds, mutual funds, private equity funds, venture capital funds, funds of funds, and real estate funds. He also provides fund

Board Member, Securities Regulation Committee of the North Carolina Bar Association

Board Member, Southeastern Hedge Fund Association

Committee Member, Hedge Funds Care Southeast

Board Chair, Big Brothers Big Sisters Services, Inc.

Board Member, Winston-Salem Hospice Foundation

Athletic Advisory Council Member, Wake Forest University Deacon Club

Former Executive Leadership Team Member, Winston-Salem Heart Ball (2014 - 2015)

managers with ongoing advice regarding investments, transactions, compliance, and securities law matters, including applicable federal and state investment adviser registration requirements. Mr. Foley has assisted fund managers with fund offerings totaling in the billions of dollars.

**Investment Adviser Representation.** Mr. Foley has extensive experience representing institutional and retail investment advisers with regard to various securities, compliance, and business matters, including drafting and reviewing investment advisory agreements and other material contracts, developing and implementing customized compliance policies and procedures, mergers and acquisitions, and registration on Form ADV. He is also experienced in conducting internal investigations and advising clients with regard to examination and enforcement-related inquiries and investigations by the SEC, self regulatory organizations, and state agencies. In addition, Mr. Foley has assisted clients in obtaining no-action and exemptive relief from the SEC and state agencies. Mr. Foley provides ongoing advice to numerous investment advisers.

**Corporate Representation.** Mr. Foley also has experience in various corporate and commercial transactions, including complex financings and joint ventures. In addition, he often serves in a general counsel role for private companies and coordinates the outsourcing of legal services for other practice areas such as litigation, intellectual property, real estate, tax, environmental, and employment law.

**Prior Experience.** Prior to joining Kilpatrick Townsend, Mr. Foley worked in the Securities Department of a Washington, D.C. law firm that is consistently ranked as a top law firm for securities regulation. During law school, he worked at the U.S. Attorney's Office for the Eastern District of North Carolina and the North Carolina Banking Commission. Prior to attending law school, Mr. Foley worked as a fixed-income analyst on the bond trading floor of a large investment bank where he held his Series 7 and Series 63 securities licenses.

**Honors and Recognition.** Mr. Foley has been recognized as a member of the “Legal Elite” by *Business North Carolina* magazine in 2013, 2014, 2015, and 2016. He has been named a North Carolina “Rising Star” by *Super Lawyers* magazine since 2013. Mr. Foley was also named one of “40 Leaders Under Forty” in 2012 by *Triad Business Journal*. He is AV<sup>®</sup> rated by Martindale-Hubbell.\*

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## Experience

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Represented former police officer Bruce Abramski in a successful cert petition and in merits briefing before the U.S. Supreme Court. The case concerned the authority of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to restrict when lawful gun owners can purchase firearms for other lawful gun owners. *Abramski* was the most prominent gun case of the October 2013 term and drew significant media attention.

## Insights

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[News Releases](#)

**Paul Foley Elected President of the  
Southeastern Hedge Fund  
Association**

August 8, 2017

[Publication](#)

**DOL Puts Advisers on Notice: Fiduciary Rule  
Will Be Effective June 9th**

May 26, 2017

[Publication](#)

**SEC Amends Crowdfunding Rules**

May 9, 2017