KILPATRICK TOWNSEND

Paul J. Foley

ASSOCIATE

1001 West Fourth Street
Winston-Salem, NC, 27101-2400
USA
t +1 336.607.7389
f +1 336.793.4876

The Grace Building, 1114 Avenue of the Americas
New York, NY, 10036-7703
USA
t +1 212.775.8712

Pfoley@kilpatricktownsend.com

Services

Investment Management; Securities; Private Equity; Business & Finance; Real Estate Investment & Development; Mergers & Acquisitions; Government & Regulatory; Pension Asset Management

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 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 was a senior associate 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 named a 2012 and 2013 North Carolina "Rising Star" in the area of Securities & Corporate Finance by *North Carolina Super Lawyers* magazine. He has been recognized as a 2013 "Legal Elite" by *Business North Carolina* magazine for Business Law. Mr. Foley was also named one of "40 Leaders Under Forty" in 2012 by *Triad Business Journal*.

On May 1, 2013, North Carolina Governor Pat McCrory appointed Mr. Foley to a four year term on the North Carolina State Board of Elections, which is the North Carolina agency charged with overall responsibility for administration of the elections process and campaign finance disclosure. The North Carolina State Board of Elections is the only statutory bi-partisan, quasi-judicial supervisory board in the North Carolina State government.

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Publications, Articles and Speaking Engagements

The JOBS Act: What to Expect from the Not-So-Private Private Placement
VCExperts, August 30, 2012

The JOBS Act: What to Expect from the Not-So-Private Private Placement Regulations
Corporate Compliance Insights, April 27, 2012

Investment Management News & Notes
Kilpatrick Townsend & Stockton LLP, March 01, 2012

Investment Management News & Notes
Kilpatrick Townsend & Stockton LLP, February 01, 2012

Investment Management News & Notes
Kilpatrick Townsend & Stockton LLP, January 01, 2012

Private Equity Firms Should Prepare for Exemption Changes
Triad Business Journal, September 23, 2011

Professional & Community Activities

Board Member, North Carolina State Board of Elections

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

Board Member, Southeastern Hedge Fund Association

Committee Member, Hedge Funds Care Southeast

Board Member, Big Brothers Big Sisters Services, Inc.

Board Member, Winston-Salem Hospice Foundation

Former General Counsel, North Carolina Republican Party (2011—2013)

Education

University of North Carolina at Chapel Hill School of Law, J.D. (2004)
with honors

Queens University of Charlotte, B.A., Business Administration (2000)
magna cum laude

Bar Admissions

North Carolina

District of Columbia

New York

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