



## → Richard L. Kintz

### **Of Counsel**

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Richard Kintz is Of Counsel in the Corporate Practice Group in the firm's San Diego (Del Mar) office and was the prior Leader of both the firm's Family Owned and Closely-Held Businesses Team and Private Wealth Team until October 2015. He was previously a partner at Sheppard Mullin from 1999 through 2015.

### **Areas of Practice**

*Venture Capital* – Richard negotiates and documents venture capital financings, both on behalf of companies and on the venture capitalist side. He has also worked on numerous convertible bridge financings.

*Representation of Startup Companies* – Richard represents startups in the structuring and formation of entities, debt and equity capital, shareholders agreements, founders agreements, stock option plans, phantom stock plans, licensing agreements, partnering arrangements, intellectual property issues and venture capital financings. He also works with startups in matters and deals with foreign venture capitalists and foreign investors.

Richard's startup clients often belong under the software, e-commerce, telecommunications, retail, sports and consumer industries. His startup services also include providing appropriate introductions to potential funding sources and other relevant service providers. Of note, in April 2009, Richard and the firm handled the initial public offering of educational services startup Bridgepoint Education, Inc., which has now grown into a multi-million dollar company.

*Representation of Middle-Market Companies* – Richard primarily represents mid-market businesses in liquidity events such as leveraged recapitalizations, minority equity infusions, debt transactions and majority equity sales.

*Mergers and Acquisitions* – Richard's M&A transactional work typically involves cash sales and stock for stock exchanges of both public and private companies, as well as puts, calls, earnouts and equity rollovers. His M&A clients have included companies in the areas of cemeteries and mortuaries, restaurants, consumer products, software companies, manufacturing, internet companies, spas, mortgage banking, real estate management, sports and action sports, travel agencies, service providers and parts assemblers (including maquiladora companies).

*General Corporate Representation* – Richard assists corporations with strategic business planning; serves as an advisor to company board of directors; and counsels clients on integrated corporate planning and the structuring of any estate matters and gift tax issues.

*Private Wealth Team* – Serving as the "Trusted Advisor" to families with global investments or family members in jurisdictions around the world, Richard helps his private wealth clients establish family offices. He also works on the structuring of the holdings of families in order to transition the assets to future generations and works with the clients on business succession.

## Honors

Listed in every edition of *Best Lawyers in America*, 1989-2016

Southern California Super Lawyer, *Super Lawyers*, 2011-2014

## Experience

Venture Capital - Negotiate and document venture capital financings, both on behalf of companies and in representing venture capitalists; participated in numerous convertible bridge financings.

Representation of Start Up Companies - Represented many start up companies in structuring and forming the entities, capital raising, shareholders agreements, founders agreements, stock option plans, phantom stock plans, licensing agreements, partnering arrangements, intellectual property issues, venture capital financing, and substantial work with foreign venture capitalists and foreign investors. These start up businesses have been involved in the areas of software, e-commerce, telecommunications, retail, sports, and consumer. These services also include appropriate introductions to funding sources and relevant service providers. We took one of these start up companies, Bridgepoint Education, Inc., public in April 2009.

Representation of Middle Market Companies - This representation has related primarily to liquidity events such as leveraged recapitalizations, minority equity infusions, debt transactions and majority equity sales.

Mergers and Acquisitions - These transactions have involved cash sales and stock for stock exchanges of both public and private companies. The industries involved have included companies involved in cemeteries and mortuaries, restaurants, consumer products, software companies, manufacturing, internet companies, spa companies, mortgage banking, real estate management, sports and action sports, travel agencies, service providers, and parts assemblers (including maquiladora companies). These transactions have involved puts, calls, earnouts and equity rollovers.

General Corporate Representation - Strategic planning, advisor to the Board of Directors, integration of corporate planning and structuring with estate and gift tax issues of the owners.

Private Wealth Team - Creation of Family Offices; structuring of the holdings of the Family in order to transition the assets to future generations; work with the clients on business succession; serving as the "Trusted Advisor" to the Family.

## Memberships

Board of Directors, Voices For Children, San Diego

## Practices

Corporate

Family Owned, Closely-Held Businesses and Family Offices

Joint Ventures and Strategic Alliances

Mergers and Acquisitions

Private Wealth Services

Real Estate and Land Use

## Industries

Construction

Education

Emerging Company & Venture Capital

Hospitality

Nonprofit

Private Equity

Sports

## Education

J.D., University of California, Berkeley, 1969, *Order of the Coif*, Editor of *California Law Review*

B.A., University of Redlands, 1966, *with distinction*