SpencerFane®

Howard Mulligan

Partner

Contact

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Overview

Howard focuses his practice on the intersecting disciplines of fund formation, structuring fund transactions, mergers and acquisitions, structured finance, securities law, and business restructurings. He has a consistent track record of delivering time-proven results for investment funds, financial institutions, investors in novel transactions, and high-net-worth individuals.

With an extensive background in capital market transactions, Howard regularly assists clients with public offerings, private placements, reverse mergers, SPAC transactions, and securitizations across various asset classes. His experience extends to acquisitions and dispositions in the cannabis and hemp industries, equipment lease portfolios, structured products, and commercial real estate transactions, including "B" notes and mezzanine loans. He has deep experience in derivative and synthetic transactions (including interest rate, credit default, and total return swaps as well as credit linked notes). He provides counsel on SEC compliance and acts as a consultant to law firms, offering leading services and regulatory advice in structured finance.

Howard represents several hedge, venture capital, and private equity funds regarding formation and transaction structuring, as well as securities law and regulatory matters. He has unique experience representing private equity funds in mergers and acquisitions and venture capital funds in purchases of preferred stock, convertible notes, and seed round securities.

In recent years, Howard has focused on providing structuring advice to decentralized finance lenders, as well as cryptocurrency- and blockchain-related companies, token issuers, and crypto investors. He also provides regulatory advice to clients in the blockchain sector.

Howard has notably testified before the U.S. House Committee on Financial Services regarding securitization of various asset types as well as secondary sales of structured products. He is often a featured speaker at asset-backed industry conferences, such as the American Securitization Forum (and its various successors), the Equipment Leasing and Finance Association, and Information Management Network.

Howard is a Fox Business Network contributor and frequently appears on CNBC, Schwab Network, and Bloomberg News. He has also appeared as a guest on the Trish Regan Show, Business Law Focus, and The Defiant Podcast, discussing structured finance, capital markets, and cryptocurrency-related matters.

Education

- University of Notre Dame Law School (J.D.), *cum laude*
- University of Scranton (B.A.), *summa cum laude*

Bar Admissions

- New York

Community Involvement

- The Lustgarten Foundation
- UJA Federation – New York
- City Harvest
- The Jewish Museum
- Humane Society of New York
- ASPCA
- Southampton Animal Shelter
- Global Strays
- Jewish Guild for the Blind
- Metropolitan Repertory Ballet
- Sorvino Asthma Foundation
- Mission Society of NYC

Presentations and Publications

- "Stock Issuers & SEC Taking the Fight to 'Toxic' Lenders," *Corporate Compliance Insights*, August 2023
- "Washington Psilocybin Services Act: A Magical Legislative Solution for Promoting the Benefits of Psychedelic Drugs," *Westlaw Today*, August 2023
- "From the Villain to the Hero: How Rate Swaps Could Have Prevented Latest Banking Crisis," *Corporate Compliance Insights*, May 2023
- "SPACs: Great for Celebrities, But What About Dissenting Shareholders?" *New York Law Journal*, October 2021