



John A. Eckstein

Director

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For more than four decades, John has advised companies and their management and owners on corporate and securities law. John counsels technology companies, venture capital funds, investors, investment bankers, financial advisors, incubators and accelerators, financial institutions, and family offices on all aspects of corporate, finance, and regulatory law.

John excels with complex legal structures in entity and project financings. He regularly assists clients in preparing and reviewing all types of disclosure reports for businesses and matters regulated under federal and state securities laws. He tries to absorb everything "CorpFin" and "Investment Management" at the Securities and Exchange Commission produce and he frequently writes and speaks on securities and finance. Versed in many aspects of corporate finance, he has handled many hundreds of transactions and billions of dollars in financings for a wide range of business clients including bioscience, technology, cleantech, brewing, finance, real estate development, and energy companies. In each representation, John strives to develop comprehensive knowledge of his client's company and industry to create solutions that keep business goals as the focus.

John also handles offerings in the U.S. capital markets, including initial public offerings, other primary and secondary offerings of securities, reverse mergers, exchange offers, tender offers, and private and limited offerings for public and private companies and for state and local governments. He provides advice regarding integrated legal strategies for board-level challenges faced by all kinds of companies, and he himself has served on many boards of directors.

Education

University of Virginia, J.D.

Johns Hopkins University SAIS, M.A., International Relations
University of Iowa, B.A., Political Science and American History
Phi Beta Kappa, Omicron Delta Kappa

Bar Admissions

Colorado

Practice Areas

Corporate
Mergers and Acquisitions
Public Policy and Governmental Relations
Securities Offerings, Regulation, and Compliance
COVID-19 Resource Hub

Sectors

Broker Dealer and Investment Banking
Brewing
Food and Beverage
Software and Technology
Start-Ups and Entrepreneurial Law

Representative Experience

John has done the following, among other things, within the last 5 years:

- Represent California family office in \$88 million syndication of draw down bonds
- Represented regional bank holding company in direct listing of shares in private trading market
- Represented Nevada real estate developer in structuring \$100 million-plus draw down loan and \$325 million infrastructure financing
- Represented Colorado public power authority in structuring and sale of \$100 million-plus tax exempt and taxable revenue bonds
- Represented Canadian advisers in structuring and financing of Delaware master real estate limited partnerships
- Represented Arizona and Wisconsin owners and companies in sale of shares and assets, including West Virginia refinery, to publicly traded petroleum derivative retailer
- Represented three unrelated early stage venture capital fund advisers in negotiation, drafting and closing of new Colorado-focused venture capital funds
- Represented Ohio family office in \$70 million revenue bond financing
- Represented receiver of failed private equity funds in repurchase of equity interests from family office investors
- Represented sellers in stock sale of municipal FOG software company to Canadian private equity firm
- Represented seller in asset sale of office furniture retailer as strategic platform company for private equity roll-up

- Represented sellers of family of global patents on product vital to front line soldiers in U.S. Army
- Represented controlling sellers in sale of \$100 million-plus equity interests in Texas-based seismic technology company
- Represented controlling sellers in sale of \$100 million-plus preferred stock in energy software company
- Represented founding shareholders and management team in sale of publicly traded financial services business
- Represented publicly-held, regional brewing company in "going private" transaction and sale to new equity owner
- Represented Colorado-based Guatemalan microlender in multiple U.S. private placements of term notes (pro bono)
- Represented minority seller of equity in major Arizona solar power owner-operator
- Represented adviser in investment adviser registration, formation of Maryland and Delaware entities, and private offering of hedge fund interests

Professional Affiliations

- American Bar Association
 - Business Law Section, 1977 – present
 - Committee of Federal Regulation of Securities, 1982 – present
 - Committee on Legal Opinions, 2005 – present
 - Committee on Private Equity and Venture Capital, 2008 – present
 - Cyberspace Law Committee, 1998 – present
- American Council on Germany, Denver Warburg chapter, 1998 – present
- Catholic Lawyers Guild of Colorado
 - Board of Directors, 1989 - 2008, 2020 - present
- Colorado Association of Corporate Counsel
 - President, 2012 - 2018
- Colorado Bar Association
 - Board of Governors, 2008 - 2010
 - Professionalism Coordinating Council, 1996 - present
 - Chair, 2007 - 2009
 - Real Estate, Banking, and Business Section, 1981 – present
 - Securities Law Committee, 1981 - present
- Colorado Biotechnology-Medical Technology Roundtable
 - Chair, 1983 - 1996
- Colorado BioScience Association
 - Board of Directors, 2003 – 2011
 - Public Policy Committee, 2003 – 2012
 - Co-chair, 2009 - 2011
- Denver Association of Business Economists (DABE), 2002 - present
- Denver Metro Chamber of Commerce
 - Public Affairs Council, 2004 – 2018
- Federal Bar Association- Colorado Chapter

- President, 1986 - 1987
- Joint Institute for Strategic Energy Analysis (JISEA) (NREL)
 - Advisory Board, 2008 - present
- Licensing Executives Society- Denver Chapter
 - President, 1993 - 1999
- National Association of Corporate Directors
 - Member, 2002 - present

Community Involvement

- Water For People
 - Board of Directors, 2017 - 2020
- Better Business Bureau of Denver/Boulder
 - Board of Directors, 2013 – 2019
- Brewers Association (formerly Association of Brewers)
 - Member, 1991 - present
- Colorado Advanced Technology Institute
 - Board of Advisors, 1985 - 1990
 - Commissioner, Governor Roy Romer appointee, 1990 – 1992, 1992 – 1996
 - Executive Committee/Chair, 1991 – 1996
- Colorado/Wyoming District Export Council, U.S. Department of Commerce
 - Member, 2011 - present
 - Officer, 2015 - present
- Foundation of Sacred Art
 - Board of Directors, 2005 - 2008
- Great American Beer Festival and World Beer Cup
 - Board of Directors, 1993 - 1999
- Paltown Development Foundation
 - Board of Directors, 2017 - 2020
 - Chairperson, 2017-2018
- The Spirituals Project
 - Board of Directors, 2004 – 2006
 - Executive Committee, 2005 - 2006

Recognition

- One of "Top Five Securities Lawyers" in Denver metropolitan area, *5280 Magazine*
- Catholic Lawyers Guild of Colorado
 - St. Thomas More Award, 2011
- Colorado Five Star Wealth Manager
 - Business Investment Advising
- Colorado Supreme Court Commission on the Legal Profession
 - Appointed by Colorado Chief Justice Michael Bender, 2011 - 2014

- Continued appointment by Colorado Chief Justice Nancy Rice, 2014 - 2015
- Martindale-Hubbell "AV Preeminent" rated since 1978
- Colorado Super Lawyer
 - Business/Corporate/Securities