



## Michael M.K. Sebree

Partner

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## Practice Areas

- Business and Corporate
- Intellectual Property
- Real Estate

## Overview

Michael Sebree has extensive experience in business and corporate transactions, specifically mergers and acquisitions. He serves as outside general counsel to many local and regional companies providing business advice regarding:

- Mergers and acquisitions
- Entity formation
- Contract and lease review
- Negotiation and preparation of business contracts
- Private Placement and Venture and Private Equity
- Review and drafting of employment contracts and stock option plans
- Corporate governance issues
- Trade secret and non-solicitation agreements
- Business succession and tax planning

Mike has also counseled and negotiated favorable resolutions for numerous closely held companies and shareholders involved in internal shareholder disputes. In addition, he assists clients in all aspects of real property matters, including negotiation and drafting of industrial, office and shopping center leases and real property purchase and sale transactions.

With clients from a broad spectrum of industries, relevant matters include:

- Representing Seller in a \$361M stock sale of Client to Del Monte
- Representing Seller, Mighty Net, Inc., in a sale of substantially all of its assets, which included the online credit monitoring services CreditReport.com and CreditScore.com to Experian, a credit bureau and a UK public company for a purchase price of \$207.5M
- Representing WebPASS, internet Fiber business, in stock sales to Google Fiber
- Representing an international software corporation in acquisition of several software corporations, both domestic and international
- Representing a security software and hardware company in sale to strategic buyer
- Representing a manufacturing company in sale to private equity group
- Representing several physician group practices in establishing ambulatory surgery center and dialysis clinics
- Representing nanotechnology and manufacturing companies in connection with private placements and venture capital financing
- Representing officers of public software company in acquiring and taking private a division of the company
- Representing a technology company in several rounds of financing up to initial public offering
- Representing a privately held restaurant chain in establishing and implementing employee stock ownership plan (ESOP)

Mike has been a regular presenter for the Service Corps of Retired Executives (SCORE) programs that provide counseling for entrepreneurs as well as established [small businesses and startups](#). At a recent Oaklanders Talk Tech program [Accelerating Tech Ecosystems](#), he moderated a panel on the role of incubators and accelerators in helping entrepreneurs become more innovative and their companies more attractive to investors. He has lectured and presented seminars on a number of topics including mergers and acquisitions, use of family limited partnerships and limited liability companies, and business-related issues.

In law school, Mike was an editor of the *Washington Law Review*.

## **Professional & Community Affiliations**

- Member, Alameda County Bar Association
- Member, San Francisco Intellectual Property Association
- Member, California Society for Healthcare Attorneys
- Member, American Health Lawyers Associations
- Member, American Bar Association

## Recognition

- Awarded, AV® Preeminent™ peer-review rated, *Martindale-Hubbell™*, 2013 - present
- Awarded, AV® Preeminent™ Judicial Edition, *Martindale-Hubbell™*, 2013 - present
- Awarded, AV® Preeminent™ Lawyers.com, *Martindale-Hubbell™*, 2018 - present
- Awarded, America's Most Honored Lawyers - Top 1%, *Americas Most Honored*, 2016 - present

## Bar Admissions

- California

## Courts

- U.S. Court of Appeals, 9th Circuit
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Eastern District of California

## Education

- **J.D.**, University of Washington Law School
- **B.A.**, California Polytechnic State University at San Luis Obispo

## Recent Articles/News

- [Donahue Fitzgerald Advises Prime Engineering in Strategic Investment from Godspeed Capital](#), *Business Wire*, May 11, 2021
- [Donahue Fitzgerald Ranked in Top Tier of 2021 “Best Law Firms”](#)
- [Does COVID-19 Excuse Performance Under Your Contract?](#), March 31, 2020
- [Donahue Fitzgerald Ranked in Top Tier of 2020 “Best Law Firms”](#)
- [Donahue Fitzgerald Advises The Speech Pathology Group in its Partnership with Ridgemont Equity Partners](#), *AP News*, April 18, 2019
- [Donahue Fitzgerald Ranked in Top Tier of 2019 “Best Law Firms”](#)
- [Donahue Fitzgerald Ranked in Top Tier of 2018 “Best Law Firms”](#)
- [Donahue Fitzgerald Ranked In Top Tier of 2017 “Best Law Firms”](#)
- [Donahue Fitzgerald Honored to Present Award to Maximum Games](#)
- [New California LLC Act](#)

## **Recent Speaking Engagements**

- September 14, 2021, Preparing a Middle Market Business for Sale or Succession: A CBC Middle Market Business Event Series , California Bank of Commerce, Webinar
- December 08, 2015, Accelerating Tech Ecosystems , Oakland Metropolitan Chamber of Commerce, Oakland, California