Private Credit 2026

First Edition

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Overview

The private credit market in the United States (the "U.S.") has continued to evolve rapidly over the past year, driven by shifting economic conditions, regulatory changes, and an increasing demand for non-bank financing. The private credit market experienced robust growth in 2024, with private credit assets under management ("AUM") and dry powder available for deployment reaching new highs, despite broader economic uncertainties. This growth was underpinned by borrowers' ongoing preference for flexibility and speed in accessing capital (as well as the ability to structure more bespoke financing solutions) and investors seeking stable, income-generating opportunities in an era of low yields from public bonds and equities. In response to these demands, private credit strategies of U.S. asset managers have become more diversified, with an increasing focus on asset-backed lending, distressed debt, and structured products designed to meet the evolving needs of borrowers.

The private credit market in the U.S. saw both a notable increase in new, and consolidation among existing, market participants over the last two years, as a number of large multi-strategy asset managers acquired smaller firms that specialise in more targeted credit strategies with the goal of scaling operations, enhancing product diversification, and capturing evolving investor and borrower demand for specialised credit solutions. At the same time, joint ventures and strategic partnerships with banks are also becoming a key feature of the private credit market in the U.S. As banks continue to retrench from certain areas of lending due to regulatory constraints and capital requirements, private credit firms are stepping in to fill the gap through strategic partnerships. These partnerships allow asset managers to tap into banks' extensive networks and balance sheets while providing banks with access to the expertise and flexibility of private credit asset managers. These collaborations help both parties manage risk and broaden their market reach, reflecting the increasingly integrated nature of the private credit ecosystem in the U.S.

Fundraising trends

While fundraising across asset classes has slowed in recent years due to macroeconomic uncertainty and rising interest rates, private credit has remained notably resilient, particularly for U.S.-based asset

managers. According to Preqin, U.S. private credit funds raised approximately $125 billion in 2024, down slightly from the approximately $138 billion raised in 2023, but to a lesser extent than the more substantial fundraising declines seen in other asset classes. Still, fundraising remains highly concentrated and increasingly competitive as investors gravitate toward larger and more well-established managers with robust track records. As a result, fundraising has become considerably more challenging for emerging or less-established asset managers, making differentiation through niche strategies, specialised expertise or access to unique origination channels more critical than ever.

Institutional investors, including pension funds, insurance companies, and sovereign wealth funds, remain the primary drivers of fundraising activity in the U.S. private credit market, contributing more than half of the total capital raised in 2024. Family offices, high-net-worth individuals and retail investors have also become increasingly important sources of capital in the private credit market, in part driven by the introduction of new structures offering more accessible entry points and enhanced liquidity. In the first half of 2025 alone, high-net-worth and retail investors in the U.S. are estimated to have committed approximately $50 billion into private credit funds.

While direct lending still dominates private credit fundraising, U.S. asset managers are diversifying their strategies in response to evolving market demands. In particular, funds focused on more nuanced credit strategies, such as asset-backed lending and structured credit, have gained momentum in recent years as existing allocators seek to broaden their private credit mandates.

Key private fund terms

As the private credit market continues to mature – and as asset managers navigate an increasingly competitive fundraising environment – several notable developments have emerged in the negotiation and structuring of key fund terms, reflecting both market evolution and shifting investor expectations.

Economics

While the headline economics set forth in the governing documents and offering materials of private credit funds – typically a 1.0%–1.5% management fee based on invested capital and 15%–20% carried interest in a closed-end fund (depending on strategy) – have remained largely consistent in recent years (albeit materially lower than those in private equity funds), private credit funds have faced increasing pressure to offer economic concessions in order to raise capital in an increasingly competitive fundraising environment. These concessions often come in the form of meaningful commitment-based fee breaks or first closer discounts. As such, there has been meaningful fee compression in the effective economics realised by many private credit funds, even where the headline economic terms appear unchanged from predecessor funds. Additionally, as discussed further in the "Key retail fund terms" section below, fees tend to be lower for retail-oriented fund products, often with base management fees based on net assets instead of total assets and lower incentive fees.

Recycling

In recent years, private credit funds have also been successful in securing additional recycling capacity for both current income and disposition proceeds. This development has been particularly beneficial in the current market, where interest rates remain elevated and the demand for yield-driven assets is high. By utilising recycled capital, asset managers can deploy funds more efficiently, maintaining a steady flow of investments and mitigating fundraising pressures.

Leverage

While private credit funds have historically enjoyed greater flexibility with respect to leverage than their private equity counterparts, the use of leverage – both through subscription line facilities and true fund-level financing – has increased meaningfully in recent years as investors have grown more comfortable

with higher levels of structural leverage. In parallel, it has become increasingly common to offer both levered and unlevered vehicles within the same fund complex, giving investors the ability to tailor their exposure based on individual risk/return preferences as well as tax and regulatory considerations. These structures, however, can present meaningful complexity around investment and expense allocations, rebalancing mechanics, and economic alignment.

Conflicts of interest

Conflicts of interest have become an area of heightened focus for both asset managers and investors in the private credit space, driven in large part by ongoing scrutiny by the U.S. Securities and Exchange Commission (the "SEC") and the evolving structure of credit fund platforms. This attention has intensified as multi-strategy asset managers increasingly raise private credit vehicles alongside their private equity funds, sometimes with mandates that allow the credit fund to invest in the debt of portfolio companies controlled by affiliated equity vehicles. While these cross-platform investments can offer asset managers valuable insight and deal flow, they also raise complex conflicts around valuation, allocation, and potential influence over borrower outcomes. As a result, investors increasingly have demanded greater transparency and more robust conflict mitigation procedures to mitigate actual and perceived risks in increasingly integrated investment platforms.

In addition, to the extent an asset manager has retail funds as a part of its platform, its private funds may be limited in their ability to engage in transactions with the retail funds. For example, if a private fund asset manager begins offering a retail fund, unless specific co-investment exemptive relief is obtained from the SEC, the private fund may be prohibited under the 1940 Act from participating in transactions with the affiliated retail fund where the asset manager has negotiated terms (such as financial and negative covenants, guarantees, or indemnification provisions) other than the price and amount to be invested. In addition, even if the asset manager obtains exemptive relief from the SEC permitting funds advised by the asset manager to engage in such "joint" transactions, the relief will be limited and subject to the conditions set forth in the relief and is not a silver bullet for all situations. As a result, when an asset manager is considering adding a retail fund to its platform for the first time, it is advisable to add appropriate conflicts disclosure to the private fund's documentation and private fund's Form ADV brochure, noting, for example, that it is possible that a private fund may be required to do certain unnatural things or refrain from participating in certain transactions in order to comply with the 1940 Act.

Co-investment rights

Co-investment opportunities have become an increasingly important feature of the private credit landscape, driven by strong investor demand and a challenging fundraising environment. In an effort to attract and retain institutional capital, many asset managers are now expected to offer investors meaningful co-investment rights – not just on an *ad hoc* basis, but as a core component of the overall investment offering. In some cases, this has led to the creation of dedicated overage vehicles or co-investment platforms, designed to provide scalable, programmatic access to larger or more concentrated transactions. While these structures can be attractive to both asset managers and limited partners – allowing for enhanced exposure, reduced fee load, and greater flexibility – they also raise important legal and operational considerations around allocation policies, disclosure, conflicts of interest, and timing of deal execution.

Key retail fund terms

In recent years, permanent (and semi-permanent) capital vehicle structures have grown in popularity among private fund managers and, increasingly, traditional asset managers, especially for private credit strategies. This trend is driven by both investors and private credit managers. An ageing U.S. investor base, shifting from equity- to debt-focused portfolios as they near retirement, coupled with a prolonged

period of historically low interest rates has made the higher yields associated with private credit quite attractive to retail investors. The search for yield in retirement has been amplified by a decades-long shift in the U.S. away from defined benefit (i.e., pension) plans, which historically have been overweight in the private markets, to defined contribution plans (e.g., 401(k) plans), which historically have not had ready access to private credit. Notably, a recent presidential executive order has instructed relevant regulators in the U.S. to expand retail investor access to private markets investments through defined contribution plans. Traditional private fund asset managers also have benefitted from this trend as they have been able to raise capital from new pools of investors they have not previously focused on.

Retail structures

Private credit retail funds are regulated under the 1940 Act and registered with the SEC as public reporting companies. There are two broad categories of private credit retail funds: (i) closed-end funds that are registered investment companies under the 1940 Act; and (ii) business development companies ("BDCs") that are subject to "1940 Act-lite" regulation. Within these two categories there are different market practices depending on how the fund is offered and what type of liquidity it provides to investors. Some funds are publicly traded on a national securities exchange and accessible to any investor. Others are non-traded and can either be publicly offered (BDCs that engage in such an offering are subject to U.S. state investor suitability requirements) or privately offered (limited to accredited investors). These non-traded funds typically offer investors liquidity through periodic repurchase programmes (e.g., the fund will buy back up to 5% of its outstanding shares each quarter) or may have a limited term similar to a private fund.

Economics

A retail fund that pursues a private credit strategy typically pays its investment adviser compensation that includes three components: (i) a base management fee; (ii) an incentive fee based on net investment income; and (iii) an incentive fee based on realised capital gains. As discussed in additional detail below, a capital gains incentive fee is most often paid by BDCs due to special treatment afforded to BDCs under the Investment Advisers Act of 1940, as amended (the "Advisers Act").

Base management fees for retail funds can vary in structure but most commonly are paid either on net assets (excludes leverage) or total assets (includes leverage). The incentive fee based on net investment income typically is paid quarterly and includes a hurdle and catch-up, but in most circumstances does not include any look-back (meaning that the adviser could potentially earn an income-based incentive fee in one particular quarter, even if the fund does not have net income over a longer period of time). The incentive fee based on realised capital gains typically is paid annually and does include a look-back, in addition to being reduced by unrealised capital appreciation.

The Advisers Act generally prohibits an investment advisory contract that provides for compensation to the investment adviser on the basis of capital gains or capital appreciation of a fund (or any portion of a fund), unless the fund's investors are limited to "qualified clients".[1] Private funds that rely on Section 3(c)(7) of the 1940 Act are generally exempt from this limitation. BDCs are exempt as well, but only to the extent that the capital gains fee satisfies certain specific requirements, including that the capital gains incentive compensation does not exceed 20% of the realised capital gains, computed net of all realised capital losses and unrealised capital depreciation. Registered closed-end funds are *not* exempt from this limitation, preventing distribution of a fund to true retail investors if the fund has a capital gains incentive fee.

Leverage

As noted above, private credit retail funds fall into two broad categories: (i) BDCs; and (ii) closed-end funds that are registered investment companies under the 1940 Act. The extent to which leverage is used

by each of these funds is driven by restrictions set forth in the 1940 Act. BDCs are required to maintain 150% asset coverage, meaning for every $2 of debt issued, the BDC must have $1 of equity on hand (i.e., a 2:1 debt-to-equity ratio); in addition, BDCs are permitted to issue multiple classes of debt or "baby bonds" that enable them to better balance fixed- and floating-rate debt in their capital structure. Traditional closed-end funds, interval funds, and tender offer funds must maintain 300% asset coverage, meaning for every $1 of debt issued, the closed-end fund must have $2 of equity (i.e., a 1:2 debt-to-equity ratio); in addition, these funds are permitted to issue preferred shares but must maintain 200% asset coverage for those preferred shares, meaning for every $1 of preferred shares issued, the fund needs $1 of equity (i.e., a 1:1 preferred-to-equity ratio). It is common for all types of private credit retail funds to have credit facilities in place with banks.

Liquidity

As discussed above, among other things, retail private credit funds differ in respect of the liquidity a fund provides to its investors. Traditional closed-end funds can be publicly traded on a national securities exchange and accessible to any investor or can be non-traded funds that are sold publicly or privately. Within the larger closed-end fund umbrella, interval funds – which are not publicly traded – provide liquidity by offering to repurchase between 5–25% of outstanding shares at net asset value ("NAV") at regular intervals of three, six or 12 months (or monthly, with SEC exemptive relief). Importantly, an interval fund must hold liquid assets equal to at least 100% of the repurchase offer amount from the time the notice of the repurchase offer is distributed to investors until the repurchase pricing date, which can create a cash drag on the fund's returns. There are only a few extreme situations that would allow an interval fund to suspend repurchases, including if a repurchase would cause the fund to lose its Regulated Investment Company tax status, a prolonged closure of a national securities exchange on which fund portfolio investments are traded or an emergency that prevents the fund from selling or valuing its assets. The dominant market practice is for an interval fund to offer to repurchase 5% of its outstanding shares every quarter. Tender offer closed-end funds, another time of closed-end fund, are similar to interval funds, but provide investors with liquidity through *discretionary* repurchase offers conducted at NAV. Again, the dominant market practice is 5% per quarter.

BDCs offer different liquidity depending on structure. BDCs traded on public exchanges, like traditional listed closed-end funds, offer real time liquidity through secondary market purchases and sales. BDCs that are privately sold and not listed on an exchange typically have provided no liquidity until an exchange listing or some other defined liquidity event takes place; however, some more recent privately offered BDCs offer periodic share repurchases, typically up to 5% of the BDC's NAV per quarter. Non-traded BDCs that are publicly sold generally model the tender offer closed-end fund liquidity structure described above.

Regulatory developments

Private credit retail funds and their investment advisers have benefitted from several recent regulatory developments that greatly reduce compliance, operational and other burdens while increasing the potential investor base and ability asset managers to run these funds alongside privately offered investment vehicles.

SEC staff permits broader distribution of privately offered BDCs

In April 2025, the SEC published an exemptive order that permits a privately offered BDC to have multiple share classes with varying sales loads and asset-based service and/or distribution fees. These types of loads/fees allow a BDC to compensate financial intermediaries in connection with their efforts to sell shares of the BDC. The 1940 Act does not permit a BDC to offer multiple share classes without exemptive relief and, to date, the SEC staff had only allowed publicly offered BDCs to rely on this type of exemptive relief. Publicly offered BDCs that are not listed on a securities exchange are subject to blue

sky registration because they do not benefit from federal pre-emption of state securities laws, adding significant time, cost and regulatory burdens on such vehicles. A privately offered BDC is not subject to blue sky registration by virtue of conducting a private offering, and with the newfound ability to offer multiple share classes and engage in general solicitation under Rule 506(c), a privately offered BDC could be marketed and distributed in a manner very similar to a non-traded publicly offered BDC. Each asset manager needs to apply for its own multi-class exemptive relief for its BDC(s). For asset managers with existing multi-class relief that covers a non-traded publicly offered BDC, the SEC staff have advised that their position is that a new exemptive application must be submitted to obtain a new order that would supersede the existing order.

SEC approves more flexible co-investment relief for BDCs and closed-end funds

In April 2025, the SEC published an order granting an application for a co-investment exemptive order that significantly departed from previous precedent in ways that offer substantial benefits to BDCs, closed-end funds and their investment advisers. The new order allows investment advisers to follow their standard investment allocation processes, provided the investment adviser: (i) implements policies ensuring that allocations are fair and equitable; and (ii) considers the interest of the retail fund when negotiating a transaction. This change reduces administrative burdens on asset managers and generally lowers the barrier to entry for those launching their first regulated funds.

The new order also addresses the issue of "propping up", which previously prevented a retail fund from making investments if an affiliate had pre-existing investments in an issuer. Under the new relief, a retail fund's board can approve co-investment participation, even if an affiliate holds a prior investment in the same issuer. This means that a retail fund can now participate in follow-on investments even if they did not participate in the initial investment, subject to board approval. This provides at least two significant benefits, as newly launched retail and private funds will be permitted to participate in follow-on investments in earlier co-investments, and funds that purchase investments in secondary market transactions will be permitted to participate in follow-ons (including so-called "season and sell" transactions).

The new relief also broadens the scope of affiliates eligible to participate in co-investment transactions to include: (i) BDCs, closed-end funds, and certain private funds that are advised by the same investment adviser or an affiliated investment adviser; (ii) wholly-owned investment subsidiaries of those BDCs and closed-end funds; (iii) certain fund vehicles controlled by those BDCs (but not closed-end funds); (iv) proprietary accounts of the investment adviser and its affiliates; (v) BDCs and closed-end funds that are sub-advised by an asset manager without requiring the investment adviser and sub-adviser to be affiliated; and (vi) joint venture subsidiaries of BDCs and closed-end funds.

SEC staff clarification of Rule 506(c)

Rule 506(c) under the Securities Act of 1933, as amended, (the "Securities Act") provides an exemption from the Securities Act definition of public offering. To qualify for the exemption, among other things, offers and sales of securities must be made only to accredited investors, and the issuer of such securities must take reasonable steps to verify that purchasers of securities sold in any offering are accredited investors. In a no-action letter and updates to its Compliance and Disclosure Interpretations ("CD&Is") issued in March 2025, the staff of the SEC's Division of Corporate Finance provided helpful guidance on the application of minimum investment amounts as a factor in determining whether an issuer has satisfied the requirement to take "reasonable steps" to verify purchasers' accredited investor status under Rule 506(c). Specifically, the staff noted that an issuer could reasonably conclude that it has taken reasonable steps to verify the accredited investor status of purchasers, as required under Rule 506(c), in circumstances where:

i. the purchaser agrees to make a minimum investment of $200,000 (in the case of a natural person) or $1 million (in the case of a legal entity), including pursuant to a binding commitment to invest at least a minimum cash amount in one or more instalments, as and when called by the issuer;

ii. the purchaser provides representations that the purchaser is an accredited investor and that the purchaser's minimum investment amount is not financed in whole or in part by any third party for the specific purpose of making the particular investment in the issuer; and

iii. the issuer does not have actual knowledge of any facts indicating that the purchaser's representations as described above are untrue.

In addition, when a purchaser is an entity that qualifies as an accredited investor solely because all its equity owners are accredited investors (i.e., the entity relies on Rule 501(a)(8)), the entity must agree to make a minimum investment of $1 million or $200,000 for each of the purchaser's equity owners, if the purchasers equity owners are fewer than five natural persons and must make the representations set forth above both with respect to itself and each of its equity owners.

Fund structuring

Evergreen structures

Open-ended credit funds (or "evergreen" structures) have gained traction in the U.S. private credit space in recent years (particularly for more liquid strategies) as they offer greater flexibility for both fund managers and investors. From an asset manager's perspective, these structures offer maximum flexibility to raise and deploy capital, rather than adhering to the fixed fundraising and deployment cycles associated with closed-end funds. For investors, evergreen funds not only offer enhanced liquidity – allowing for more periodic redemption opportunities – but also provide quicker exposure to the asset class (as new investors in open-ended structures will typically participate in the vehicle's existing investments). The enhanced liquidity of these structures has proven to be particularly attractive to high-net-worth and retail investors.

Evergreen structures are particularly well-suited to private credit due to the nature of credit investments themselves. Credit funds typically generate steady, current income streams that can be used to facilitate investor redemptions. This predictable cash flow is critical to managing liquidity in an open-ended structure, ensuring that the fund can accommodate investor redemption requests without needing to sell underlying assets or disrupt the asset manager's investment strategy.

Evergreen credit funds present a range of unique legal challenges and considerations. One key issue is managing investor redemptions, as the continuous nature of capital inflows requires precise rules around redemption windows, calculation methods for redemption amounts, and mechanisms to address potential liquidity issues (i.e., gating or unique provisions). Additionally, the economic provisions of evergreen credit funds are more aligned with hedge funds than traditional closed-end funds, typically featuring an incentive allocation based on NAV and high-water marks, rather than distribution-based carried interest. As these structures grow in popularity, especially with retail investors, there is an increasing focus on compliance with evolving regulatory requirements, including liquidity management and disclosure obligations. Structuring a fund's governing documents to balance manager and investor interests, while maintaining flexibility, is critical in navigating the complexities of these open-ended structures.

Rated note products

In recent years, rated note products that invest into or alongside private credit funds have become an increasingly popular avenue to facilitate investment by U.S. insurance companies. Initially, these products were structured as feeder funds, where an investor's commitment was split between a typical limited partnership interest and an obligation to fund under a note issued by the feeder fund that was

rated by a rating agency. By investing through a rated note feeder, insurers were able to gain exposure to private credit while benefitting from a more favourable regulatory capital treatment compared to more traditional direct investment into a private credit fund.

In recent years, the market for rated note products has evolved to accommodate a broader range of investor needs and to respond to regulatory scrutiny. For example, some private credit asset managers have launched bifurcated rated feeder funds, where investors are able to take different proportions of both the equity and the rated notes issued by these vehicles. This flexibility allows investors to tailor their exposure based on their desired risk/return profile or regulatory requirements. More recently, asset managers have borrowed elements of collateralised loan obligations technology to establish securitisation vehicles that invest alongside their private credit funds, which can receive more favourable ratings.

Private credit transactions: focus on direct lending

Direct lending remained a dominant strategy in the U.S. private credit market in 2024. The re-opening of the broadly syndicated loan market during this period resulted in greater competition between direct lenders and traditional bank arrangers, particularly as individual direct lenders have become capable of financing entire capital structures outside the middle and upper-middle markets. Certain features of the broadly syndicated market have been adopted by direct lenders, with multi-billion-dollar transactions increasingly underwritten and negotiated by one or two "lead" lenders who then syndicate commitments to co-investors, partners and other smaller direct lenders. However, direct lenders have continued to differentiate themselves and sought to maintain market share by offering innovative financing structures not typically available in broadly syndicated loans. These include (i) payment-in-kind interest, (ii) delayed draw term loan facilities (particularly attractive to private equity sponsors pursuing a "roll up" acquisition strategy), (iii) "portability" features, which allow a private equity sponsor to sell all or a portion of its stake in a portfolio company without triggering a change of control, and (iv) recurring revenue facilities.

The competition mentioned above, in addition to the ongoing need of private credit funds to deploy capital, has put downward pressure on pricing and other economics terms and resulted in a general loosening of covenant packages and creditor protections in direct lending deals, with certain terms in direct lending loan documentation, at times, resembling that of broadly syndicated loans. However, direct lenders remain highly focused on protections against dropdown, uptiering, voting manipulation and other liability management transactions that may result in leakage of valuable assets or the subordination of their loans. Particular emphasis is placed on (i) transfers of material assets, typically intellectual property, to unrestricted subsidiaries and non-guarantor restricted subsidiaries, (ii) incurrence of structurally senior debt and "double dip" transactions, (iii) releases of guarantor restricted subsidiaries, (iv) amendments that alter payment and lien priority, and (v) the ability of the borrower or the private equity sponsor to conduct open market or privately negotiated debt buybacks and exchanges.

The year ahead

The U.S. private credit industry remains poised for strong growth in the year ahead, with dry powder at an all-time high, an upcoming "maturity wall" in the high-yield bond and broadly syndicated loan markets and allocators signalling increased interest in the asset class. According to a McKinsey survey, nearly 50% of existing private credit investors expect to meaningfully increase their allocations to the space in the near term, underscoring the growing confidence in the sector's ability to deliver attractive risk-adjusted returns. However, despite this strong demand, private credit still faces many of the same fundraising headwinds as other asset classes. As of June 30, 2025, U.S. private credit funds are seeking just north of $280 billion for active fundraises, highlighting both the scale of the opportunity and the intensity of the competition for investor capital.

Given the challenging fundraising landscape, we expect continued consolidation within the industry as private credit funds seek to build scale and acquire specialty lending platforms to enhance their capabilities. In addition, asset managers will increasingly turn to new sources of capital, including retail investors, who are becoming a more significant part of the ecosystem, and explore new and innovative structures intended to facilitate investments by such investors.

Endnote

1 A "qualified client" is defined in Rule 205-3 under the Advisers Act and generally means: (i) an individual or entity that has a specified amount of AUM with the investment adviser immediately after entering into the advisory contract; (ii) an individual or entity that the investment adviser reasonably believes, immediately prior to entering into the advisory contract, meets certain net worth thresholds or is a "qualified purchaser" as defined in the 1940 Act; or (iii) has certain specified relationships with the investment adviser (e.g., is an executive officer or general partner of the investment adviser, or participates in the investment activities of the investment adviser). The AUM and net worth thresholds in (i) and (ii) above are adjusted from time to time based on inflation and, as of the date of this publication, are $1.1 million and $2.2 million, respectively.

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Chris brings deep market knowledge and experience in the development, formation and ongoing operation of funds regulated under the Investment Company Act of 1940, particularly funds that invest in private market assets. He advises clients on a wide array of fund products, including BDCs, closed-end funds and interval funds. His clients include sponsors of all sizes and range from first-time sponsors of 1940 Act products to established 1940 Act sponsors. Clients seek his counsel for novel SEC exemptive applications and the development of innovative products for retail investors.

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Luke's practice focuses on advising sponsors of private investment funds, co-investment vehicles and separately managed accounts, covering numerous sectors and strategies, including credit, energy, growth capital, emerging markets and venture capital funds.

Luke is highlighted by *The Legal 500 U.S.*, where a client describes him as "a superb transactional lawyer". *The Legal 500* sources have also said that he is a "first-rate lawyer with excellent insights into the private funds and venture capital spaces" and that he is one of their "go-to people for anything venture capital related".

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Michael advises fund-related clients on all manners of fund formation and investor relations, M&A (with deep experience in co-investment) and regulatory matters. His clients include private equity, credit, growth capital, hedge, energy, real estate, co-investment and funds of fund managers.

Michael also advises on secondary transactions, GP-stake sales and purchases, spin-outs and JVs. He also regularly represents sponsors and senior executives of sponsors in "upper tier" arrangement, employment and separation matters.

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