



Michelle R. McCreery

Partner

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OVERVIEW

Ms. McCreery concentrates her practice primarily on corporate, transactional and securities matters. She has experience in representing publicly-traded and privately-held clients in domestic and international mergers and acquisitions transactions, joint ventures, and finance and investment transactions. Ms. McCreery's practice also includes registered securities offerings, private placements of securities under Rule 144A and Regulation D, shelf registrations, exchange offers, tender offers and securities compliance matters. She regularly provides corporate governance and general corporate advice to emerging growth, middle market and Fortune 500 companies. She has advised clients operating in a broad variety of industries, including manufacturing, energy, financial services and healthcare.

PROFESSIONAL BACKGROUND

After practicing for nearly ten years with K&L Gates, Ms. McCreery served as Director of Legal Affairs of a publicly-traded engineered products company, where she focused on securities compliance and corporate governance matters, as well as acquisition transactions and other general corporate and commercial matters, before returning to private practice at the firm.

PROFESSIONAL / CIVIC ACTIVITIES

- Women's Energy Network, Appalachia Chapter
- National Association of Women Lawyers
- United Way Women's Leadership Council
- United Way Bridges Society
- Mentor, Leadership Counsel on Legal Diversity Success in Law School Mentoring Program
- Recruiting Committee and Diversity Committee, K&L Gates LLP, Pittsburgh

EDUCATION

- J.D., University of Pittsburgh School of Law, 2005 (*magna cum laude*; *Order of the Coif*; *Senior Managing Editor, University of Pittsburgh Law Review*)
- B.A., Washington and Jefferson College, 2002 (*cum laude*)

ADMISSIONS

- Bar of Pennsylvania
- United States District Court for the Western District of Pennsylvania

THOUGHT LEADERSHIP POWERED BY HUB

- 27 April 2021, Chancery Court Finds that Although Alleged Disclosure Deficiency Prevents Application of Corwin, It Is Insufficient to Reasonably Imply Breach of the Duty of Loyalty
- 7 April 2020, Caremark Claim Dismissed Due to Inadequate Pleading of Demand Futility
- 15 March 2019, Court of Chancery Invalidates Charter-Based Federal Forum Provision
- 29 November 2018, In Ruling On Motion To Dismiss, Chancery Court Allows Admission Of Extrinsic Evidence To Resolve Ambiguity In Preferred Stock Certificate Of Designations
- 19 May 2017, Failure to Make Demand to the Board of Directors Dooms 50% Owner's Breach of Fiduciary Duty Claims Against Co-Owner
- 15 February 2017, Court of Chancery Dismisses Derivative Action Against Board of Directors of UPS for Failure to Monitor
- 27 July 2016, Chancery Court Dismisses Only Certain Counterclaims Against Baseball's Derek Jeter
- 22 June 2016, Directors' Failure to Consider Speculative Projections in Recommending Tender Offer to Stockholders Insufficient to Plead a Claim for Breach of the Duty of Loyalty Based on Bad Faith

OTHER PUBLICATIONS

- Contributing Author, *LexisNexis Securities Practice Guide 2018*

NEWS & EVENTS

- 13 December 2021, K&L Gates Advises DDW The Color House on its Sale to Givaudan
- 16 November 2018, K&L Gates Advises II-VI Incorporated on US\$3.2 Billion Acquisition Agreement with Finisar Corporation

AREAS OF FOCUS

- Mergers and Acquisitions
- Capital Markets
- Corporate and Acquisition Finance
- Corporate Governance
- Debt Capital Markets
- Emerging Growth and Venture Capital
- Oil and Gas
- Power
- Public Companies
- Public Finance