



## Matthew R. Kittay

Partner

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Matthew is nationally recognized as an innovative leader who guides businesses, investors and entrepreneurs to achieve the corporate financing and structures that drive their success.

National Co-Chair of the firm's Mergers & Acquisitions Practice Group and Chair of the Firm's New York Corporate team, Matthew has deep experience in structuring mergers and acquisitions and securing private equity and venture capital for a wide range of companies, particularly in the technology, software, cannabis, manufacturing and health care sectors.

He is ranked by Chambers USA as a leading corporate attorney for his transactional work with clients in the cannabis sector. In 2019, he was named by *The National Law Journal* as a Trailblazer in Cannabis Law in recognition of a string of major deals he closed in this nascent industry.

**Matthew Kittay is “a very bright, pragmatic lawyer who exercises knowledge of the law and common sense, and I would emphasize pragmatism and common sense in what is a very gray area in U.S. law right now.”**

**– Chambers USA, confidential client interview**

Matthew also serves as Outside General Counsel for emerging and growth-stage companies. In this role, he advises clients on a host of regulatory and corporate matters and resolves legal issues as they arise, from employment and executive compensation to vendor contracts and commercial leases.

### **Before Fox Rothschild**

Prior to attending law school, Matthew worked as a research analyst at Harvard Business School and published several corporate case studies.

While in law school, he worked for an international trade company in Shanghai, China and also the New York State attorney general.



## **Beyond Fox Rothschild**

Matthew is a leader in the American Bar Association's Business Law Section, where he serves as Co-Chair of the Angel Venture Capital Subcommittee and as the M&A Technology Subcommittee's Liaison to the Legal Analytics Committee.

He is active in New York's venture capital community as an attorney and angel investor, and has advised for and published with city, national and international venture capital educational and accelerator programs.

Matthew is also a co-founder of Digital Brown, the global network of Brown University alumni in digital technology and media. He also serves on Brown's Communications Advisory Counsel to the President, and as a mentor to students and faculty through Brown's Nelson Center for Entrepreneurship.

## **Representative Matters**

### **Mergers & Acquisitions:**

Over \$3.5 billion in private company M&A transactions, including deals nominated for M&A Advisor's 2016 "Deal of the Year" in both "middle-market" and "foreign" categories, which include:

- Inc. 100 leader in global in-app advertising for Facebook, Apple (iOS) and Android developers, in connection with a recapitalization and investment by a U.S.-based private equity fund.
- Chinese private equity fund and its U.S. operating subsidiary in acquisition of a U.S.-based specialty pharmaceutical company dedicated to improving patient care through innovative therapeutics.
- Fortune 500 international retail company in its purchase of distressed assets including inventory, real estate, workforce, and accounts receivable from a U.S.-based private equity fund.
- Chinese private equity fund and its U.S. operating subsidiary in the acquisition of a leading U.S. producer of marketed generic pharmaceutical products.
- Leading SaaS facility management and service products distribution platform as the target in an acquisition by a U.S.-based private equity fund.
- Global manufacturer and distributor of household durable products as the target in an acquisition by a U.S.-based private equity fund.
- Syndicate of healthcare industry private equity funds in the acquisition of a controlling interest in a leading manufacturer of specialty chemicals primarily used in medical devices, industrial materials and pharmaceuticals, with multiple distinct manufacturing subsidiaries.
- Company and key equityholders of a global sports franchise, with assets including intellectual property, real estate, and other key holdings, as the target in a strategic acquisition.

### **Venture Capital:**

Matthew has advised clients in more than 100 Series Seed through Series D, SAFE, and convertible debt venture capital and strategic investor financings for early and growth-stage technology, life sciences and cannabis companies, including:

- New York's leading angel investment networks in preferred equity financing and convertible debt financings
- High-net-worth family fund in various impact investing financings
- Preferred equity financing of a leading casino video gaming platform
- Global e-commerce fashion retailer featured in *Vogue* and *Harper's BAZAAR* in preferred equity financing
- Consumer online engagement gaming platform in convertible debt financing



- Machine learning SaaS platform in multiple rounds of preferred equity financing
- Real estate management app platform in a convertible debt financing
- Social network app developer in a convertible equity financing
- New York health care clinic in a recapitalization and preferred equity financing
- Immunotherapeutics development platform in a convertible debt financing
- Formation of and investment by an SPV in a preferred equity financing of groundbreaking cannabis license operator
- Cannabis distribution and supply SaaS platform in a convertible debt financing
- Cannabis distribution and supply platform in a convertible debt financing

### Editor-in-Chief, Emerging Companies Insider

Matthew is the Editor-in-Chief of Fox Rothschild's Emerging Companies Insider blog, which focuses on recent and developing areas of the law affecting startup and emerging growth companies and their investors. [View Blog](#)

### Honors & Awards



- Named a Cannabis Law Trailblazer by *The National Law Journal* (2019)\*
- Recognized by *Chambers USA* for Cannabis Law - Nationwide (2019)\*
- Selected to the "Super Lawyers - Rising Stars" list for Corporate, Technology and M&A Transactions in New York (2014-2019)\*



[\\*Awards Methodology](#)

### Practice Areas

- Corporate
- Mergers & Acquisitions
- Emerging Companies & Venture Capital
- Cannabis Law
- Private Equity

### Bar Admissions

- New York



- New Jersey
- Florida

### **Education**

- Benjamin N. Cardozo School of Law (J.D., 2007)
- Brown University (A.B., 2003)

### **Memberships**

- American Bar Association, Business Law Section
  - Co-Chair, Angel Venture Capital Subcommittee
  - Liaison, M&A Technology Subcommittee
- Digital Brown, Co-Founder
- Empire Angels, Limited Partner
- New York Society of Security Analysts