

Malone in Law360: With PE Exits Set To Surge, Buyers Must Act Quickly, Wisely

February 8, 2024 Daniel Malone

PRACTICES Investment Management, Mergers and Acquisitions, Private Equity

Haynes Boone Partner [Dan Malone](#) was quoted in a *Law360* article on private equity exits expecting to rebound this year after a decade low in 2023.

"This sets up a perfect scenario [for dealmaking], with PE sponsors who have basically lost a year — some would even argue 18 months in their lifecycle of an investment — while strategic acquirers are flush with cash but will have to reintroduce inorganic growth that comes with strategic M&A to keep the streak alive," said Dan Malone, managing partner of Haynes Boone LLP's Denver office.

Malone echoed that "time kills all deals," so strategic buyers will need to act quickly to secure the best deals, and stressed the importance of relationship-building when looking to get ahead of the competition.

Whether through corporate development teams or senior executives, strategic acquirers should actively establish relationships with not only the target companies, but investment banks and law firms working on deals, Malone said.

In addition to his roughly 15 years in private practice, Malone worked for nearly three years as in-house senior counsel of mergers and acquisitions at The WhiteWave Foods Co., which was sold to Danone for \$12.5 billion under his watch, his LinkedIn profile shows.

Companies should have targets on a shortlist; establish sectors that would bring the most inorganic growth to their bottom line; know who the competitors are, right down to what their balance sheets look like; and, once the opportunity presents itself, be able to "move as quickly and expeditiously as possible," Malone said.

"You must be constantly in contact with those targets and develop relationships before the transaction happens, because while value is very important, certainty to close is also paramount," Malone said. "Having a relationship with a prospective target for months, if not years prior to a transaction, may give you the leg up that you need in a competitive marketplace."

To read the full article in *Law360*, click [here](#).