



## Arie Heijkoop

**Partner**

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### PRACTICES Investment Management

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Arie Heijkoop is a partner in the Investment Management Practice Group in Haynes Boone's Washington, D.C. office.

His practice focuses on advising asset managers and fund sponsors, registered funds, and trusts, and independent directors on various legal, transactional, and compliance matters. He regularly advises fund management on a range of operational activities, including the formation, operation, merger, and liquidations of open- and closed-end mutual funds, ETFs, variable insurance products and business development companies. He has been involved in numerous new product launches, such as volatility managed variable products, liquid alternative strategies, ESG products, and thematic exchange-traded fund products.

Arie's experience includes representing open-end registered funds and their board members in the financial services industry about routine and non-routine issues, such as new and ongoing compliance matters, disclosure issues, reorganizations of funds and investment advisers, engagement with the Securities Exchange Commission and other regulators. He also advises closed-end fund managers and their independent directors on offerings, proxies, tender offers, investor interactions, and co-investment transactions.

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## QUALIFICATIONS

### EDUCATION

- J.D., Georgetown University Law Center
- M.A., Texas A&M University
- B.S., University of Florida, with honors

### LANGUAGES

- Dutch

### ADMISSIONS

- District of Columbia

- New York
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## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- “Reporting Requirements,” co-author, chapter in “Mutual Funds: Regulation & Operation” published by *Law Journal Press*, June 2011.
  - “The Regulation of Joint Ventures by Competition Authorities in the United States and Europe,” co-author, *International Practitioner's Desk Book Series: Joint Ventures in the International Arena* in 2003.
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## SELECTED CLIENT REPRESENTATIONS

### *Ongoing Representations*

- Guiding clients through complex and high-risk decision-making, potential violations of laws or regulations, conflicts of interests and response to shareholder demands
- Advising boards in connection with annual contract renewal process
- Advising fund groups on annual update of fund registrations
- Advising closed-end funds with respect to investor communications, proxy matters and disclosure considerations
- Representing closed-end funds and their directors in fund mergers, common and preferred stock rights offerings, and tender offers
- Representing ETFs and their boards in the formation and operation of series of ETFs
- Update compliance policies and procedures for new regulatory requirements
- Advising board and fund management on engagement with the SEC and regulators
- Representing fund advisers and fund boards on acquisitions or sales of investment advisory businesses
- Analyzing public companies and advising on investment company status under the Investment Company Act of 1940

### *Specific Transactions / Client Work*

- Represent a life insurance company in the merger of newly acquired funds through its acquisition of another life and annuity complex
- Represent a fund board through the spin-off by a life insurance company of its retail funds and their adviser
- Advise an investment adviser through its acquisition of a series of variable investment funds and the portfolio management group from a life insurance company
- Represent an investment adviser in the acquisition of an unaffiliated fund complex along with its investment adviser and various subsidiary subadvisers
- Represent an investment adviser in the registration and public offering of an existing private investment product
- Oversee and complete the merger of a closed-end fund into an open-end fund
- Represent an investment adviser in its acquisition of a closed-end fund serving as a the investment vehicle for a pension plan
- Represent variable fund groups in launching new series of managed volatility funds after the financial crisis, which utilized offshore subsidiaries and interest rate protections for the insurance company issuers
- Represent a fund sponsor in the creation of a newly formed BDC and its subsequent 1940 Act deregistration and transition to an operating company registered under the 1933 Act

- Represent the board of a BDC in its acquisition by a private equity sponsor
- Represent a broker dealer being investigated by FINRA for inside information allegations
- Create compliance policies and procedures for a newly formed broker dealer

*Some of these representations were handled by Arie prior to joining Haynes Boone.*