



Holly Loftis

Partner

Holly.Loftis@haynesboone.com

Charlotte

+1 980.771.8228

PRACTICES Finance, Fund Finance

Holly Loftis is a partner in the Finance Practice Group of Haynes Boone's Charlotte and New York offices. With more than 13 years of experience, she is a veteran fund finance attorney and trusted advisor to banks and other financial institutions on the structuring, negotiation and documentation of complex and cross-border subscription credit facilities and other fund finance adjacent secured and unsecured lending arrangements, including management fee lines, GP lines, employee co-invest loans and SBIC loans. Holly's lender-side representation runs the gamut of the estimated \$800 billion fund finance market, with clients that execute small cap bilateral subscription lines to VC firms, to clients doing club and broadly syndicated subscription lines with lender commitments in excess of \$5 billion. Holly has advised on some of the largest subscription facilities to hit the market dating back to 2008 and has worked across from some of the largest PE sponsors in the world.

Holly's practice includes thorough diligence and problem-solving solutions regarding issues arising under the documentation governing private investment vehicles, including the private investment vehicle's governing agreement, any investor side letters or other relevant fund contractual arrangements and investor subscription documentation. Holly focuses on and is a go-to attorney for subscription lines of credit for bespoke fund structures that do not fit the mold of a traditional commingled fund, including separately managed accounts, joint venture vehicles, continuation funds and open-ended funds. In addition to negotiating with the investment vehicle's fund counsel, such bespoke structures often involve direct negotiations with and certain regulatory and other problem-solving strategies with a sponsor's investor and its counsel. Clients routinely call on Holly for her precision and attention to detail yet measured, commercial and collaborative approach to dealmaking.

Holly was a critical resource to her clients during the many years for which LIBOR was being phased out by regulators and during the regional banking crisis of 2023 for which Holly sat on the firm's task force.

Holly frequently publishes articles on various fund finance topics, and in addition to Holly's legal practice, Holly co-chairs Haynes and Boone's fund finance marketing and publishing committees.

Holly joined the firm after practicing at two other prominent fund finance law firms in the United States where she participated in and helped develop the first-ever conference on subscription credit facilities which later grew into the Fund Finance Association. Holly remains active with the Fund Finance Association and sits on the U.S. planning committee for the Women in Fund Finance.

Prior to Holly's entry into private practice, she interned at a prominent wealth management firm in internal investigations.

QUALIFICATIONS

EDUCATION

- LL.M., Boston University School of Law, 2010
- J.D., Wake Forest University School of Law, 2009, Executive Editor, *Wake Forest Law Review*
- B.S., Texas A&M University, 2006

ADMISSIONS

- North Carolina
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Fund Finance Industry Avoids Biggest Impacts of SEC's Private Funds Rulemaking," author, Haynes Boone client alert, August 30, 2023.
 - "Rated Note Feeders: Issues Facing Subscription Line Lenders," co-author, *LexisNexis Practical Guidance*, December 20, 2022.
 - "Structuring and Diligence Considerations for Separately Managed Account Subscription Credit Facilities," co-author, *Bloomberg Law*, June 16, 2022.
 - "Fund Finance: Impact of ILPA's DDQ 2.0 and Diversity Metrics Template," co-author, Haynes Boone client alert, November 15, 2021.
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AWARDS AND RECOGNITIONS

- Selected as "40 Under 40; Future Leaders of PE" by *Private Equity International*, class of 2023
- Selected as "40 Under 40" by *Secured Finance Network*, class of 2023