



## Remsen Kinne

### Partner

San Francisco      Palo Alto  
+1.415.882.8019

remsen.kinne@klgates.com

## OVERVIEW

Remsen Kinne is a Corporate practice partner. Remsen's practice focuses on representing privately held and public companies and investors, founders and boards of directors in transactions and operations including:

- Equity and debt financing;
- Mergers, acquisitions, and divestitures;
- Commercial transactions;
- Compliance with corporate, governance and securities laws.

Clients' industries areas in which Remsen works include consumer goods and services, financial services, technology and transport and logistics. Remsen advises clients on US legal aspects of cross-border transactions supporting investments and business activities in US and non-US markets.

## PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Remsen practiced as a partner in a San Francisco law firm. He also taught international business transactions as an adjunct professor at Boalt Hall School of Law. After law school, he served as a judicial clerk for the US District Court for the District of Massachusetts.

## PROFESSIONAL / CIVIC ACTIVITIES

- American Bar Association
- Bar Association of San Francisco

## SPEAKING ENGAGEMENTS

- Shariah Compliant Securitisation, *K&L Gates Seminar*, 4 February 2010
- Fundamentals of Shariah Finance Law, *CELESQ Webinar*, 4 November 2009

- Attracting and Using Middle Eastern Money—Investing in Real Estate in a Shariah Compliant Way, *CELESQ Webinar*, 23 June 2009

## EDUCATION

- J.D., Boston College Law School, 1989 (*cum laude*, *Editor-in-Chief*, *Boston College Third World Law Journal*)
- B.A., Yale University, 1981

## ADMISSIONS

- Bar of California

## LANGUAGES

- French

## THOUGHT LEADERSHIP POWERED BY HUB

- 30 July 2021, Damages and Termination Fee Claims Rejected in Anthem-Cigna Failed Merger Suit
- 3 August 2020, Oracle Special Litigation Committee Defeats Motion to Compel Production of Protected Work Product
- 2 June 2020, Chancery Court Declines to Dismiss Derivative Claims for Audit Committee Oversight Failure and Unjust Enrichment
- 13 May 2020, Derivative Suit Dismissed for Failing to Plead Demand Futility
- 5 May 2020, Chancery Orders Accounting for Payments to Former Director and CEO Affiliate; Rejects Most Breach of Fiduciary Duty Claims
- 8 November 2019, Delaware Court of Chancery Allows Derivative Claim To Proceed Regarding Allegedly “Grossly Excessive” Non-Employee Director Compensation
- 1 July 2019, It’s Not What You Thought You Signed That Counts: Chancery Court Rejects Plaintiffs’ Claims For Breach of Contract Plaintiffs Thought They Had Made
- 21 March 2019, Chancery Court Grants Motion To Dismiss Section 220 Demand Made During A Pending Plenary Claim Due To Lack Of Special Circumstances
- 4 March 2019, Yes, We Have No Estoppel: Chancery Court Rules Derivative, Dismisses Diluted Stockholders’ Ex-Texas Merger-Related Claims
- 31 January 2019, Chancery Court Denies Motion To Dismiss Claim For Breach Of Merger Agreement Earn-Out Efforts Provision

- 30 November 2018, Stockholder's Suit for Directors' Fiduciary Breach Related to Acquisitions and Stock Repurchases Dismissed With Prejudice for Failure to Plead Demand Futility and to State Viable Claims, Directors Found to be Disinterested Regardless of 10-Q Filing Stating Action Without Merit
- 26 March 2018, Board's Failure to Adhere to Best Practices in Drug Clinical Trial Does Not Excuse Stockholder Demand as Futile
- 18 September 2017, Chancery Court Dismisses Stockholders' Breach of Fiduciary Duty and Aiding and Abetting Claims Relating to Stock-For-Stock Merger
- 13 July 2017, Court of Chancery Holds That Structurally Coercive Stockholder Vote Does Not Ratify Fiduciary Actions Related To Shares Issuance and Proxy Grant To Stockholder
- 14 June 2017, Chancery Court Dismisses Derivative Claim Over Board's Defensive Measures Against a Takeover as Stockholder Failed to Plead Specific Facts
- 4 May 2017, Court of Chancery Holds That A Credible Basis to Infer Wrongdoing by One Director is Sufficient to Satisfy Burden of Proof Under Section 220
- 7 March 2017, Court of Chancery Approves Modifying Merger-Related Class Action Settlement to Distribute Proceeds to Record Stockholders through DTC
- 15 July 2016, Chancery Court Enjoins Incumbent Board Members' Plan to Reduce Number of Board Seats Prior to Contested Election at Annual Meeting

## NEWS & EVENTS

- 11 May 2022, K&L Gates Advises Silicon Motion Technology Corporation on US\$3.8 Billion Cross-Border Take-Private Acquisition by MaxLinear, Inc.

## AREAS OF FOCUS

- Mergers and Acquisitions
- Capital Markets
- Corporate and Acquisition Finance
- Corporate Governance
- Emerging Growth and Venture Capital
- Fintech Lending
- Islamic Finance
- Private Equity Transactions
- Public Companies

## INDUSTRIES

- Aerospace and Defense
- Consumer Goods and Services
- Financial Services
- Fintech
- Manufacturing
- Private Equity
- Technology
- Transportation and Logistics

## EMERGING ISSUES

- Artificial Intelligence