

UNSOLICITED VIEWS

MoFo's monthly newsletter chronicling developments in hostile M+A

Editors: Jeffery Bell, Enrico Granata, Spencer Klein, Jonathan Melmed, Jessie Redden

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Featured Articles

ACTIVIST HEDGE FUNDS FIND MYRIAD WAYS TO PROFIT FROM M&A TRANSACTIONS

By Spencer Klein, Enrico Granata, and Isaac Young

Activist hedge funds continue to find ways to use public M&A transactions as a tool to generate returns for their investors. As a result, market participants need to consider potential activist strategies in determining how to structure, announce and execute their deals. [Read more](#)

SHAREHOLDER ACTIVISM IN GERMANY FOLLOWING TAKEOVER ANNOUNCEMENTS

By Dirk Besse and Moritz Heuser

Over the past few years there has been a noticeable increase in the frequency of activist investors building up considerable stakes in German listed companies in the context of public takeovers. One reason for this development is what appears to be a new business model of hedge funds – the realization of profits through litigation after the completion of a takeover. [Read more](#)

In the Courts

COURT UPHOLDS POISON PILL IN RESPONSE TO ACTIVIST ACCUMULATIONS

By Michael G. O'Bryan and Enrico Granata

The Delaware Court of Chancery on May 2 rejected a request by Third Point to enjoin Sotheby's annual stockholder meeting, scheduled for May 6, because of a "poison pill" stockholder rights plan adopted by Sotheby's board. *Third Point LLC v. Ruprecht, et al.* [Read more](#)

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