

David Guin

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David is a partner in the corporate team.

He leads the corporate practice teams in the US. He integrates the knowledge he has gained in representing public companies, fund managers and investment advisers with his experience in representing family and closely-held enterprises and entrepreneurs.

David has extensive experience advising clients on a range of issues governed by the US Securities Laws and other regulatory matters such as the rules of various self-regulatory organizations.

He devotes a significant amount of time to advising high net worth domestic and international individuals, families, family offices and their advisors about their obligations under US securities laws, including the acquisition and disposition of public and private securities, beneficial ownership reporting obligations and the applicability of the US Investment Advisers Act and US Investment Company Act to their investment activities.

David represents hedge funds and investment partnerships with respect to fund formation matters, preparation of fund formation and offering documents, transaction structuring and compliance issues.

He has represented numerous companies in the acquisition and disposition of businesses and business segments and all types of public and private financing transactions.

David also acts as general counsel to many of his clients, advising on governance and fiduciary matters and a wide range of commercial transactions from employment matters to intellectual property licensing.

David is a Member of the Board of Trustees and Counsel to the Museum of the City of New York.

SECRETARY **LIYA ALI**

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ADMISSIONS

- State of Illinois, 1989
- Registered Foreign Lawyer in the UK, 2007
- State of New York, 2008

PUBLICATIONS

'[Archegos implosion could lead to family-office regulation](#),' InvestmentNews - April 8, 2021, quoted

'[The Corporate Transparency Act: A new US federal reporting requirement for beneficial owners of US entities](#),' Withers Insight - January 4, 2021, co-author

'[SEC proposes significant increase to reporting threshold on Form 13F for institutional investment managers](#),' Withers Insight - July 21, 2020, co-author

'Your lenders have called – What should you do now? Insights for US businesses navigating the impact of the coronavirus', Withers Insight - May 5, 2020, co-author

'Global Law Firm Withers' Family Office Group Advises Ultra-Rich.' _ Bloomberg Law - June 25, 2019, quoted

'Checklist of routine annual and other activities to be completed by voluntary filers,' Withers article - December 2017, co-author

'International withholding tax- What fund lawyers need to know,' Lexis Practice Advisor - November 2017, co-author

'Preparing to transition your business to a leader from outside the family', Family Business Magazine - May-June 2015

'Top five regulatory concerns for family offices', Bloomberg Brief: Family Office Special Report - June 2014, co-author

'The complete family office handbook: A guide for affluent families and the advisors who serve them' - January 2014, chapter co-author

'Cross-border investing and taxes', Investments & Pensions Asia - March/April 2013

'A regulatory countdown', Private Wealth - January 2012, co-author

'Analyzing the family office rule', New York Law Journal - January 2012, co-author

'US securities alert - Large trader reporting - New rule 13h-1', Withers Bergman LLP Briefing Notes - August 2011

'US Securities and Exchange Commission issues final rule: Are you a foreign private adviser?', Withers Bergman LLP Briefing Notes - June 2011, co-author

'US Securities and Exchange Commission issues final rule: Federal vs. state regulation of investment advisers', Withers Bergman LLP Briefing Notes - June 2011, co-author

'US Securities and Exchange Commission issues final rule: Private fund adviser exemptions', Withers Bergman LLP Briefing Notes - June 2011, co-author

'SEC issues greatly expanded definition of family office', Withers Bergman LLP Briefing Notes - June 2011, co-author

'How will Dodd-Frank affect me?', STEPJournal, March 2011

'Dodd-Frank and rules on foreign private advisor exemption', Offshore Red - December/January 2010/11

TALKS

ABA (RPTE) Presentation: Key Considerations in Setting Up a Family Office (co-presenter with Ivan Sacks and Kirby Rosplock, Tamarind Partners) - June 29, 2021

'Family Office Compliance Policies and Record Keeping', Tamarind Learning Podcast Series - November 13, 2020, speaker

'Family Office Set-up, Structure, and Compliance.' Tamarind Learning Podcast Series - November 9, 2020, speaker

'Withers talks: families and family office | Ep 2 - Employment agreements, and incentives for performance and retention.' Withersworldwide podcast - September 3, 2020, speaker

'Dolphin Tank Fashion Tech,' Springboard Enterprises (San Francisco) - February 26, 2020, speaker

'Family Relationships: Married-ins,' Family Business Magazine's Transitions East 2015 Conference, Tampa - March 25-27, 2015

'Legal Concerns Relevant to the New Generation,' Columbia University's Family Business Club 2015 Conference, New York City - February 20, 2015

'Structuring Your Family Office for Success: What Every Family Should Know About Government Taxation, Regulation, and the New Rules for 2015 and Beyond,' NYSSCPA's Fifth Annual Family Office Conference, New York City - February 2015

'Is the World Really Flat for U.S. Families Investing Abroad?,' Sustainable Family Office Operations and Management Conference, New York City - June 2014

'Regulatory Roundup: The Current Compliance Challenges Faced by the Affluent and their Advisors,' Private Asset Management, New York City - May 2014

'Not All in the Family: Navigating Securities Laws for Family Offices and Estate Planning,' ALI-CLE - November 2013

AICPA Family Office Group Meeting, Pasadena, CA - November 2013

'From Family Office Formation to Regulation,' Family Firm Institute Conference, San Diego, CA - October 2013

'Understanding the Impact of Regulatory Issues Confronting Family Offices,' UBS Family Office Forum - May 2013

'Compliance Best Practices,' Fidelity Family Office Services - April 2013

'Take 15 Series,' CFA Institute - February 2013 - [Click here to watch the interview on Brightcove.com](#)

'The Brave New World of Advertising,' Raising Capital from the Exceptionally Wealthy - January, 2013

'The Impact of Dodd-Frank On Family Offices,' Financial Navigator - September 2012, webinar - [Click here to watch the presentation](#)

'Dodd Frank and Registration of Family Offices with the SEC,' AICPA Family Office Networking Group, New York City - April 2012

'Dodd Frank Act: A New Paradigm for Family Office_,' Opal Financial Group Family Office & Private Wealth Management Forum, Santa Rosa - Nov 2011

'Family Office Exemption under Dodd-Frank_,' FiNalternatives, October 2011

'How Will Dodd-Frank Act Affect Me?,' Withers' The Old And The New Seminar, Zurich and Geneva, Switzerland - February 2011

'SEC Regulation of Family Offices_,' MetCircle, New York - January 2011_

EDUCATION

Notre Dame Law School, cum laude, J.D.
University of Notre Dame, B.B.A.

LANGUAGES

ENGLISH

DATES

JOINED: 2007
PARTNER: 2007

RECOGNITION

2011 New York Enterprise Report US Finalist David Guin

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