



MICHAEL N. MERCURIO
 Principal, Tysons Corner

PRACTICE FOCUS

Mr. Mercurio serves as outside general counsel to clients on matters related to corporate and business law, commercial transactions, government contracting, health care, construction services, and real estate. As a strategic partner to firm clients, Mr. Mercurio regularly counsels entrepreneurial individuals and assorted entities on all aspects of business and commerce including formation and structure; ownership; management and control; financing and capital; expansion and acquisition; sale and transfer; and contraction and dissolution. He is well versed in the various issues and challenges companies of all sizes and industries face in the business life cycle including start-up, maturation, and end stage considerations. A core specialty practice area for Mr. Mercurio is mergers and acquisitions, both from the sell side perspective and buy side perspective. Further, Mr. Mercurio specializes in ownership planning, helping business owners prepare and optimally transition their businesses to third parties, management, or family. He also has significant experience representing clients in the government contracting arena, assisting them through growth and maturation issues as well as mergers and acquisition matters. Well versed in government contracts and procurement law, Mr. Mercurio has brought value to many clients by working closely with them on various contractual and administrative issues arising from doing business with federal, state, and local governments.

"Entrepreneurial business is the economic engine that drives this great country forward. My clients are in the center of this dynamic force. I advise my clients on the good, the bad and the ugly issues, situations and circumstances associated with their growth and opportunities. And my clients let me know their tolerance for risk, disruptions and zigzags. My counsel takes a collaborative approach - a give and take discussion - on the practicalities of business and the intersection of law."

— Michael N. Mercurio

PRACTICE AREAS

- Business Formation and Governance
- Business Law and Transactions
- Business Transactions
- Emerging Companies and Growth
- Franchise Law
- Government Contracting
- Health Care Law
- Mergers and Acquisitions
- Nonprofit Entities
- Real Estate Law and Transactions

ACTIVITIES

- Serves on informal advisory boards for a number of firm clients
- Founder of the Family Business Roundtable, with chapters in Columbia, MD and Frederick, MD
- Graduate of the Leadership Howard County Class of 2008
- Founder of CONNECTIONS (www.ceo-connections.com) a C-Level exclusive networking forum

POINTS OF DISTINCTION

Mr. Mercurio has designed, negotiated, and documented numerous corporate transactions and business combinations involving hundreds of millions of dollar value for the acquisition (and disposition of) assets classes of all types, as well as equity interests. Mr. Mercurio has worked with companies in cyber security, intelligence, information technology, recycling and waste management, government contracting, health care, mortgage and financial services, franchising, and restaurant and food services. Mr. Mercurio has repeatedly been listed in Smart CEO's Best Lawyers, which recognizes the top business attorneys, based on a readers' poll. Mr. Mercurio also has received a number of national and international awards relating to his M&A practice.

HONORS

- Lawyers Monthly Legal Awards, Mergers and Acquisitions USA, 2019

PUBLICATIONS/SPEECHES

Mr. Mercurio draws on his business attorney experience as a frequent lecturer on business law topics that include corporate structuring, M&A and business succession planning, executive compensation, and business exit considerations and transfers. Mr. Mercurio also blogs at Bizlawquarterback.com.

- My Profiles in Success Interview: Calming the Chaos
- What Buyers Need to Know About M&A Due Diligence and Letters of Intent
- The Basics of Market Analysis and Prospecting Before Buying a Business: Screening and Valuation
- Family Business Myths, Debunked
- The Basics of Market Analysis and Prospecting Before Buying a Business
- A Done Deal: Post-Transaction Planning
- Factors To Consider When Closing M&A Deals
- Post-closing Matters in M&A Transactions
- Cyber Deals Deconstructed: The Good, the Bad, and the Ugly of Cybersecurity Mergers & Acquisitions
- Top Considerations for M&A Negotiations
- 8 Line Items to Expect in Any Due Diligence Checklist
- 3 Key Provisions in a Mergers and Acquisitions Letter of Intent
- The Importance of Pre-Transaction Planning Before Selling Your Business

- The Role of a Board of Directors in Mergers and Acquisitions
- Selling a Company and the Importance of a Letter of Intent
- The Nature of Business Transactions and the Importance of Exit Planning
- From Exit Planning to Acquisition: How Deals Get Done
- Managing Risk in Investing in a Privately Owned Business—Doing Due Diligence
- Managing Risk In Exiting a Privately Owned Business—Getting Out with Value
- What Does the Affordable Care Act (ObamaCare) Mean for my Business?
- The Three Types of Buy-Sell Agreements
- Mergers and Acquisitions: The Anatomy of a Transaction From the Sell Side
- Stock Appreciation Rights (SAR) Plan: Employee Retention
- Health Insurance Portability and Accountability Act
- Read|Delete
- Biz Tek Today
- Dissecting the Deal (video)
- Selling Your Business is a Process (video)

EDUCATION

- J.D., Washington College of Law, The American University, 1998
- M.A., School of International Service, The American University, 1994
- B.S., University of Scranton, 1991

ADMISSIONS

- Maryland
- Virginia
- District of Columbia
- United States Supreme Court

AWARDS

