



John D. "Jack" Hogoboom

Partner

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Specializing in securities and corporate law, Jack has represented issuers, underwriters and investors in hundreds of transactions over his more than 30 years of practice, including IPOs, public primary and secondary offerings and domestic and cross-border private offerings involving issuers in a wide range of industries including life sciences, technology, clean tech, media and natural resources.

Jack has been listed in both the securities law and corporate law categories in *The Best Lawyers in America* since 2007, and Martindale-Hubbell has rated him a Top Technology Lawyer and awarded him the Peer Rating for Highest Level of Professional Excellence. Often quoted in legal publications, he frequently publishes articles and speaks on corporate finance issues.

EXPERIENCE

- > Represented Oppenheimer & Co Inc. as sole placement agent in a registered direct offering of common stock and warrants for Moleculin Biotech, Inc., a clinical stage pharmaceutical company with a broad portfolio of drug candidates targeting highly resistant tumors.
- > Represented Zomedica Pharmaceuticals Corp. (NYSE: ZOM), a veterinary diagnostic and pharmaceutical company, in a follow-on underwritten offering.
- > Represented Roth Capital Partners in their role as sole placement agent in a registered direct offering for Altimmune, Inc. (Nasdaq: ALT), a clinical-stage immunotherapeutics company based in Maryland.
- > Represented Oppenheimer & Co. Inc., as sole underwriter, in an underwritten public offering of Catabasis Pharmaceuticals, Inc. (Nasdaq: CATB).
- > Represented Special Situations Funds, as the lead investor, in a purchase and exchange transaction in which investors purchased all outstanding Series B Preferred Stock of Turtle Beach Corporation (Nasdaq: HEAR) with a market value of and exchanged them for common stock and pre-funded warrants.
- > Represented Roth Capital Partners, as underwriter and sole book-running manager, in an underwritten public offering for New Age Beverages Corporation (Nasdaq: NBEV).
- > Represented National Securities Corporation, as the sole book-running manager, and ROTH Capital Partners and Craig-Hallum Capital Group, as co-managers, in an initial public offering by Restoration Robotics, Inc. (NASDAQ: HAIR).
- > Represented Oppenheimer & Co. Inc. which acted as the representative for the initial purchasers in Akoustis Technologies, Inc.'s (NASDAQ: AKTS) Rule 144A offering of 6.5% Convertible Senior Secured Notes.
- > Represented Roth Capital Partners, LLC, as sales agent, in an at-the-market offering for Broadwind Energy, Inc. (Nasdaq: BWEN).
- > Represented lead investors in the sale of E Ink Corporation to Prime View.

HONORS & AWARDS

- > **The Best Lawyers in America (2007-2020)**
Recognized in the Corporate Law and Securities / Capital Markets Law sections.
- > **Martindale-Hubbell: Top Technology Lawyer**

NEWS & INSIGHTS

Publications

- > October 1, 2019
"SEC Permits All Issuers to Engage in "Test-the-Waters" Communications," *Capital Markets & Securities Client Alert*

John D. "Jack" Hogoboom

- > July 2, 2018
"How Regulation A Updates Could Benefit Smaller Reporting Companies," *Corporate Counsel*
John D. "Jack" Hogoboom, Alan Wovsaniker, Alexander Dinur
- > June 5, 2018
"Regulation A Availability for Securities Offerings by Smaller Reporting Companies," *Capital Markets & Securities Client Alert*
Alexander Dinur, Alan Wovsaniker, John D. "Jack" Hogoboom
- > September 26, 2017
"SEC Provides Interpretive Guidance on Pay Ratio Rule," *Capital Markets & Securities Client Alert*
Steven M. Skolnick, Peter H. Ehrenberg, John D. "Jack" Hogoboom, , Alan Wovsaniker
- > June 30, 2017
"SEC Expands Use of Confidential IPO Filings," *Capital Markets & Securities Client Alert*
Alan Wovsaniker, John D. "Jack" Hogoboom
- > June 12, 2017
"What Can I Find Out About a Company From Its Website?," *Bloomberg Law*
John D. "Jack" Hogoboom, Alexander Dinur
- > May 2017
"Are You Prepared for a SEC Website Compliance Review?," *IR Website Whitepaper*
John D. "Jack" Hogoboom
- > April 13, 2017
"SEC Issues Statement on Conflict Minerals Rule; Not Much Changes," *Capital Markets & Securities Client Alert*
Peter H. Ehrenberg, Steven M. Skolnick, John D. "Jack" Hogoboom, Alan Wovsaniker
- > March 23, 2017
"SEC Shortens Settlement Cycle from T+3 to T+2," *Capital Markets & Securities Client Alert*
Peter H. Ehrenberg, Steven M. Skolnick, John D. "Jack" Hogoboom, , Alan Wovsaniker
- > March 2, 2017
"SEC to Require Hyperlinks to Exhibits," *Capital Markets & Securities Client Alert*
John D. "Jack" Hogoboom, Steven M. Skolnick, Alan Wovsaniker

In the Media

- > August 3, 2020
Lowenstein's representation of **Spring Bank Pharmaceuticals, Inc.** (Nasdaq: SBPH) in entering into a definitive share exchange agreement with F-star Therapeutics Limited to acquire all of the outstanding share capital of F-star in exchange for newly issued shares of Spring Bank in an all-stock transaction is highlighted in the **Global Legal Chronicle**. The Lowenstein deal team included **John D. "Jack" Hogoboom, Daniel C. Porco,** and **Madeline Roe** (Corporate); **Brian A. Silikovitz** and **Kristin V. Taylor** (Tax); **Robert J. Paradiso** (Patent Counseling & Prosecution); and **Andrew E. Graw** and **Christine Osvold-Mruz** (Executive Benefits & Executive Compensation). **View Lowenstein's news announcement about this transaction.**
- > July 29, 2020
Lowenstein's representation of **Spring Bank Pharmaceuticals, Inc.** in its definitive share exchange agreement with F-star to combine as F-star Therapeutics, Inc. is reported in **Canada Stock Watch**. The Lowenstein deal team included **John D. "Jack" Hogoboom, Daniel C. Porco,** and **Madeline Roe** (Corporate); **Brian A. Silikovitz** and **Kristin V. Taylor** (Tax); **Robert J. Paradiso** (Patent Counseling & Prosecution); and **Andrew E. Graw** and **Christine Osvold-Mruz** (Executive Benefits & Executive Compensation). **View Lowenstein's news announcement about this transaction.**
- > May 7, 2020
Lowenstein's representation of **Delcath Systems, Inc.** in an underwritten public offering of shares and warrants is noted in the **Global Legal Chronicle**. The Lowenstein deal team included **John D. "Jack" Hogoboom, Robert J. Paradiso, Brian A. Silikovitz, James C. Shehan, Sarah P. Cole, Michael T. Melchiorre, Erica Perlmutter,** and **Kristin V. Taylor**. **View Lowenstein's news announcement about this transaction.**
- > February 24, 2015
John D. Hogoboom comments on early 2015 market dynamics in **The Deal Pipeline**.
- > February 10, 2015
John D. Hogoboom comments on the recent surge in life science offerings in **The DealFlow Report**.
- > January 20, 2015
John D. Hogoboom comments on the 2015 capital markets outlook for small-cap companies in **The DealFlow Report**.
- > January 13, 2015
John D. Hogoboom comments on the PIPE market in *The Daily Deal*.

- > November 18, 2014
Jack Hogoboom comments on the SEC's proposed tick size pilot study in **The DealFlow Report**.
- > November 4, 2014
John D. Hogoboom discusses the rationale for anti-shortening covenants in PIPE investments in **The Deal Pipeline**.
- > October 28, 2014
John D. Hogoboom comments in **The Deal Pipeline** on the current environment for life sciences IPOs.
- > October 28, 2014
John D. Hogoboom comments in **The Deal Pipeline** on novel investor litigation claiming warrant adjustment.
- > October 23, 2014
John D. Hogoboom is quoted in **The Deal Pipeline** in connection with dispute between Hudson Bay Capital Management LP and Worlds Inc. over the patent monetization company's refusal to lower the price of warrants issued last year in a private placement of convertible debt.
- > September 9, 2014
John D. Hogoboom comments on the current state of the market for life science IPOs in **The Deal Pipeline's DealFlow Report**.
- > July 11, 2014
In **The Deal Pipeline**, **John D. Hogoboom** comments on market dynamics affecting offerings by life science companies.

SPEAKING ENGAGEMENTS

- > Attendee, **2019 Gateway Conference**, Gateway, San Francisco, CA, September 4-5, 2019
- > Attendee, **RNA Revolution Conference**, ROTH Capital Partners, New York, NY, July 17, 2019
- > Moderator, **Topic: "IPO Readiness"**, ROTH OC Conference, Dana Point, CA, March 19, 2019
- > **31st Annual ROTH Conference**, ROTH Capital Partners, Newport Beach, CA, March 17 -19, 2019
- > **7th Annual ROTH Deer Valley Corporate Access Event**, ROTH Capital Partners, Park City, UT, December 5-9, 2018
- > Panelist, **Alternative Public Offerings**, 28th Annual Oppenheimer & Co. Inc. Healthcare Conference, March 20, 2018
- > Moderator, **IPO Readiness**, 30th Annual ROTH Conference, Dana Point, CA, March 13, 2018
- > Moderator, **IPO Readiness**, 28th Annual ROTH Conference, Dana Point, CA, March 13-16, 2016

EDUCATION

- > University of Pennsylvania Law School (J.D. 1985), cum laude; Editor, *University of Pennsylvania Law Review*
- > Wharton School, University of Pennsylvania (B.S. 1982), magna cum laude

ADMISSIONS

- > New York
- > New Jersey