



## James O'Grady

Partner

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James focuses on capital markets and securities law, representing companies, investment banks, and investors in public and private offerings and SEC compliance. He advises public companies and investment funds regarding SEC reporting obligations and governance.

His transaction experience includes initial public offerings, follow-on offerings, secondary resales, private investments in public equity (PIPEs), registered directs (RDs), confidentially marketed public offerings (CMPOs), rights offerings, reverse mergers, convertible preferred equity and debt offerings, tender offers, and other transaction structures. He also has experience with cross-border financing transactions.

In addition, James advises companies and investors in connection with mergers and acquisitions and restructuring transactions. His recent concentration has been on technology and life sciences companies in the small- to mid-cap markets, but he has also advised companies ranging from private start-ups to large public companies.

## EXPERIENCE

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- > Represented CytoDyn Inc. in over \$100 million of both private and public financing transactions of common stock, warrants and convertible notes, including private investments in public equity (PIPEs), registered directs (RDs) and tender/exchange offers for existing securities.
- > Represented Maxim Group LLC, as dealer-manager, in connection with a \$15.1 million rights offering for Actinium Pharmaceuticals, Inc. (NYSE American:ATNM).
- > Represented an investment fund, as a \$20 million anchor investor, in \$95 million of private placements of convertible preferred stock, common stock and warrants by Andina II Holdco Corp. (NASDAQ: LAZY), a special purpose acquisition company (SPAC), to finance the acquisition of Lazy Days' R.V. Center, Inc., an operator of recreational vehicle dealerships throughout the United States.
- > Represented Craig-Hallum Capital Group LLC, as placement agent, in a €7.2 million cross-border private placement for Medicrea International (EPA: ALMED).
- > Represented an investment fund, as a \$30 million anchor investor, in a \$300 million initial public offering by Legacy Acquisition Corp. (NYSE: LGC.U), a special purpose acquisition company (SPAC).
- > Represented National Securities Corporation, as sole book-running manager, and ROTH Capital Partners and Craig-Hallum Capital Group, as co-managers, in a \$25.0 million initial public offering for Restoration Robotics, Inc. (Nasdaq: HAIR).
- > Represented an investment fund, as an anchor investor, in a \$18.2 million registered direct offering for PLx Pharma Inc. (Nasdaq: PLXP).
- > Represented Aytu BioScience, Inc. (OTCQX: AYTU), as issuer, in a \$2.2 million tender offer to amend and exercise certain series of outstanding warrants.
- > Represented an investment fund, as a \$15 million investor, in a \$43 million private placement by Internap Corporation (Nasdaq: INAP).
- > Represented Aegis Capital Corp., as underwriter, in a \$10.0 million public offering for xG Technology, Inc. (Nasdaq: XGTI).
- > Represented Roth Capital Partners LLC, as underwriter, in a \$40.3 million public offering for Cherokee Inc. (Nasdaq: CHKE).
- > Represented Maxim Group LLC, as dealer manager, in a \$17.4 million rights offering for Onconova Therapeutics, Inc. (Nasdaq: ONTX).
- > Represented Liberator Medical Holdings, Inc., (Nasdaq: LBMH) in its \$181 million sale to C. R. Bard, Inc.
- > Represented Metalico, Inc. (NYSE MKT: MEA) in its merger with Total Merchant Limited.
- > Represented Maxim Group LLC and ROTH Capital Partners, LLC, as underwriters, in a \$30.15 million initial public offering for Intec Pharma Ltd. (Nasdaq: NTEC).
- > Represented Maxim Group LLC, as underwriter, in a \$13.1 million public offering for Provectus Biopharmaceuticals Inc. (OTCMKTS: PVCT).
- > Represented Fir Tree Inc. and its affiliated funds, as the majority stockholder of CiG Wireless Corp. (OTCBB: CIGW) in its merger with Vertical Bridge Holdings LLC.
- > Represented Revolution Lighting Technologies Inc. (Nasdaq: RVLN), as issuer, in a \$10.0 million public offering.

## NEWS & INSIGHTS

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### In the Media

> July 19, 2019

**James O'Grady** comments for *Forbes* on the initial public offering (IPO) by Medallia, which saw its stock price rise 76 percent on its first day of trading. Observing that, on the first day of an IPO, it can be difficult to assess whether the IPO pricing was appropriate, O'Grady says, "A stock trading up early on will typically trigger underwriters exercising their 'greenshoe,' or overallotment option, to buy up more shares—additional proceeds that do go to the issuing company, though at the lower (and more dilutive price)."

> January 2-7; May 8, 2019

Lowenstein's 2019 promotion of seven lawyers to partner and six to counsel (including three women in each category) is noted in *Bloomberg Law – Big Law Business*. These promotions are also highlighted in *LawFuel*, *The Deal*, and the Commerce and Industry Association of New Jersey's (CIANJ) *Business Beat* newsletter, with **Lesley P. Adamo**, **Dmitry Andreev**, **Marc S. Kurzweil**, **James B. O'Grady**, **Eileen Overbaugh**, **Peter Slocum**, and **Julie Levinson Werner** highlighted as newly elected partners and **Brandon Fierro**, **Joseph G. Jones**, **Robert Lynn**, **Brianne Perlman**, **Nedda N. Salehi**, and **Leah Satlin** listed as promoted to counsel. **Gary M. Wings** is quoted regarding the critical role these lawyers will play in the firm's continued success. **Law360** notes our partner elevations in an article highlighting firms' Q1 promotions. (*subscription required to access certain content*) **View Lowenstein's news announcement about these promotions.**

## SPEAKING ENGAGEMENTS

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> Attendee, **RNA Revolution Conference**, ROTH Capital Partners, New York, NY, July 17, 2019

## EDUCATION

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> Columbia University School of Law (J.D. 2007), Finance Editor, *Columbia Business Law Review*

> Columbia Business School (M.B.A. 2007)

> Harvard University (B.A. 2000), cum laude

## ADMISSIONS

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> New York