

# HICKS, MOTTO & EHRLICH

*Attorneys at Law*

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## MARK H. MIRKIN

Partner at Hicks, Motto & Ehrlich, P.A., Palm Beach Gardens, FL

Corporate and securities attorney with an emphasis on entrepreneurship and emerging growth companies

### Transactional Skill Set

*Kenneth E. Ehrlich*<sup>+^</sup>

*James H. Hicks*<sup>\*</sup>

*Michael A. Motto*<sup>°</sup>

*Phyllis L. Shuster*<sup>+\*</sup>

*Mark H. Mirkin*<sup>++</sup>

*Peter S. Van Keuren*<sup>\*^</sup>

*Brett M. Steinberg*

*Daniel L. Franks*

*John W. Carroll, PA*<sup>\*</sup>  
*of counsel*

<sup>\*</sup> BOARD CERTIFIED  
CIVIL TRIAL LAWYER

<sup>+</sup> ALSO ADMITTED TO  
GEORGIA BAR

<sup>^</sup> SUPREME COURT CERTIFIED  
CIVIL MEDIATOR

<sup>°</sup> ALSO ADMITTED TO  
NEW YORK & NEW JERSEY  
BAR

<sup>+\*</sup> ALSO ADMITTED TO  
ILLINOIS BAR

<sup>++</sup> ALSO ADMITTED TO  
NORTH CAROLINA BAR

- Extensive advising, structuring, formation, organization, and business planning for start-ups, including in biotech, medtech, infotech and cleantech
- Business Plan counseling and editing
- Supervision of intellectual property law functions, including patents, trademarks, trade secrets, copyrights
- Technology transfers, including from universities and research institutes
- Structuring and Term Sheet preparation for numerous seed stage and early stage financings, including convertible debt, equity and hybrid offerings
- Preparation of securities disclosure documents
- Venture capital financings
- Technology licensing
- Mergers and reorganizations
- Asset, stock and unit acquisitions and sales
- S.E.C. and Blue Sky compliance
- Public company corporate governance representation
- Reverse mergers into public shells
- Counseling on IPOs and secondary securities offerings
- PIPE and RDO transactions
- Quarterly and annual Securities Exchange Act reporting
- Proxy Statements / Information Statements
- Commercial transactions
- Resales of restricted securities, including Rule 144 transactions
- Executive and other employment and consulting agreements

### Organization Participation

- Florida Venture Forum
- Angel Investors Forum
- Association for Corporate Growth
- Council for Entrepreneurial Development
- Southeast Medical Device Association
- South Florida Technology Association

- BioFlorida
- Southeast Bio
- Enterprise Development Corporation
- Licensing Executives Society
- Duke Club of the Palm Beaches
- Duke Club of the Triangle
- Fuqua School of Business Entrepreneurship & Venture Capital Club
- Anti-Defamation League
- American Jewish Committee
- Jewish National Fund
- America-Israel Political Action Committee
- Technion University
- Ben Gurion University
- Jewish Federation Business and Professionals Division

### **Publications**

- Daily Business Review
- TechJournal South

### **Notable Speaking Engagements**

- Southeast Venture Capital Conference, 2007 chairman
- Duke University – various events in Pratt School of Engineering and Fuqua School of Business
- University of North Carolina – guest lecturer at Kenan-Flagler Business School
- National Business Institute
- Duke Start-up Challenge
- Council for Entrepreneurial Development – various events

### **Education**

**Duke University**, Durham, NC

Bachelor of Arts, cum laude, economics, December 1980

**Duke University School of Law**, Durham, NC

Juris Doctor, May 1984

### **Personal**

Married since 1987 to Elizabeth

Son Kenneth age 20

Daughter Emily age 18

Avid snow skier, jogger, tennis player

Duke basketball fanatic