



Tobias Habermann

German Attorney at Law since 2019
Associate

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Languages: German, English

Practice Areas

- M&A
- Venture Capital
- Private Equity
- Capital Markets Law
- Corporate Law

Practice Summary

Advising on M&A transactions, either share deals or asset deals, a good part of Mr. Tobias Habermann's practice involves drafting contracts (e.g. letters of intent, non-disclosure agreements, shareholders' agreement, participation agreements and transfer agreements), conducting due diligence, including "red flag" due diligence reports, and accompanying transactions to the closing.

As part of his venture capital and private equity practice, Tobias advises founders, shareholders, and investors, always paying close attention to the specific situation of the company. Tobias ensures that his clients' interests are represented and seeks to achieve a balanced and target-oriented cooperation between the parties. He also prepares documentation for the financing of companies (e.g. participation and shareholder agreements, articles of association, rules of procedure for management, and employee stock option programs (ESOP)).

Tobias advises companies on the structuring and placement of bonds on the capital market, both as part of public offerings and private placements. He assists companies by preparing the investor memorandum or prospectuses as well as securities information sheets. Finally, Tobias advises companies during the post-issuance period with the fulfilment of obligations vis-à-vis investors.

Tobias assists clients in matters of banking supervision law and develops business models within the framework of banking regulations, together with clients and in discussions with Germany's Federal Financial Supervisory Authority (BaFin).

A further focus of Tobias' practice is to advise clients on corporate law matters in connection with corporate housekeeping. In the course of this, he represents shareholders and companies, as well as their executive bodies in difficult conflict situations with a solution-oriented approach. As part of this practice, he also advises on liability

issue matters for board members and managing directors.

Representative Client Matters

- Advised a company in connection with breaching German Banking Act regulations vis-à-vis the German Federal Financial Supervisory Authority
- Advised a mobility-systems market leader on structuring and issuing a corporate bond as a private placement
- Regularly advises a public fund on growth and innovation

Publications and Speaking Engagement

- Unternehmensfinanzierung am Kapitalmarkt – jenseits der COVID19 strapazierten Kreditinstitute, NZG 2020, 816 jointly with Dr. Matthias Möller
- Die Befreiung von § 181 BGB im Kontext von Finanzierungsrunden, NZG 2020, 965 jointly with Dr. Leif Gösta Gerling (LL.M. (USA))

Education and Career

Tobias was admitted to the German Bar in 2019, and has been an Associate at SCHIEDERMAIR since 2019.

Prior to joining SCHIEDERMAIR, Tobias completed his legal clerkship at the Higher Regional Court of Frankfurt am Main. During this time, he worked as a Research Assistant in a medium-sized German law firm. Tobias finished his studies in Law at the Justus-Liebig-University in Giessen, Germany.