

"Trends in M&A Provisions: Stand-alone Indemnities," Bloomberg BNA Mergers & Acquisitions Law Report

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In addition to the general indemnities, parties to M&A agreements often also negotiate separate "standalone" indemnities - - indemnities which cover specific topics separate and apart from the general indemnities, and usually without reference to an underlying breach of representations, warranties or covenants. This article, written by Goulston & Storrs director Daniel Avery and Lilly Huang, Associate General Counsel with Boston University's Office of the General Counsel, examines the prevalence of stand-alone indemnities in private company M&A transactions and trends in that usage.