

# PERSPECTIVES ON PRIVATE EQUITY & EMERGING MARKETS

Presented by The Cardozo  
Business Law Society

## CARDOZO

BENJAMIN N. CARDOZO SCHOOL OF LAW / YESHIVA UNIVERSITY

### March 26, 2008

6:30PM: **Registration  
and Networking**

7:00PM (Beginning Promptly):  
**Main Event.** Reception to follow

## Cardozo Moot Court Room

### GUEST SPEAKER BIOS:

#### MARK PROCTOR

**Vice President and  
Assistant General Counsel**  
Goldman Sachs

Mark Proctor is a Vice President and Assistant General Counsel of Goldman Sachs where he is Counsel to the Private Equity Group and the Real Estate Alternatives Group. Prior to joining Goldman Sachs in 2006, Mr. Proctor was an associate at Cleary Gottlieb Steen & Hamilton LLP, where his practice focused primarily on forming and structuring private equity funds, structuring investments by private equity funds and providing advice to asset managers. Mr. Proctor also served as a law clerk to Hon. Gary L. Taylor of the United States District Court for the Central District of California. Mr. Proctor received a B.A., with distinction in all subjects, from Cornell University and a J.D., cum laude, from the University of Pennsylvania. He is also a member of the New York Bar.

#### JOHN D. FRANCHINI

**Partner**  
Milbank, Tweed, Hadley & McCloy LLP

John D. Franchini is a partner in the Global Corporate Department in Milbank's New York Office. Mr. Franchini has extensive experience representing private equity sponsors, hedge funds and their portfolio companies in investment, acquisition, restructuring, disposition and fund-of-fund transactions. His practice also includes representing public and private companies in connection with mergers, acquisitions, divestitures and other corporate transactions, including stock-for-stock mergers, tender offers, private stock and asset purchases, complex joint ventures, private placements of equity securities and restructurings. Mr. Franchini has represented numerous private equity and hedge fund clients, including Apax Partners, CCMP Capital Advisors, Cerberus Capital Partners, Energy Investors Funds, Macquarie, One Equity Partners and Reservoir Capital Group. He has completed transactions throughout Asia, Latin America and the United States. He also participates in transactions in regulated industries such as energy/public utilities, medical devices, telecommunications, banking and airlines. Mr. Franchini received his B.A., cum laude, from Lehigh University and his J.D., with honors, from Fordham University School of Law, where he was Associate Editor of the Fordham Law Review and a recipient of the MCI International Law Fellowship. He is also a member of the American Bar Association.

#### KENNETH SCHWARTZ

**Partner**  
Schwartz Law Firm LLC

Kenneth Schwartz is the founding member of Schwartz Law Firm LLC, a law firm dedicated to serving private equity funds, buyout firms, investment banks, corporations and major private investors

active in emerging markets. He concentrates on cross-border private equity investments, private equity fund formation, offshore and global holding entities, international corporate and securities transactions, mergers and acquisitions, foreign investments in emerging markets, and corporate finance transactions.

Mr. Schwartz received his law degree from the University of Miami School of Law in 1991 and graduated from Fordham University in 1988. He is fluent in Spanish, Portuguese and French.

#### DON HERZOG

**Director**  
Bluegrass Growth Fund

Don Herzog is the director of the Bluegrass Growth Fund, a hedge fund based in New York. Don lead investment operations for one of the most active PIPE (Private Investment in Public Entity) funds. He manages the entire investment process from deal flow generation, screening, analysis, structuring, portfolio management, and exit. Mr. Herzog possesses expertise in scrutinizing technology, business models, strategies and management's oversight of small and micro-cap public companies across a broad range of industries. He also leads restructuring and work-out efforts with underperforming portfolio companies. Mr. Herzog received his MBA from Carnegie Mellon University in 2000 and a B.S. in Electrical Engineering from Drexel University in 1990

#### STEFANIE SMITH

**Principal**  
Stratex Consulting  
**\*PANEL MODERATOR**

Stefanie Smith advises financial services executives and equity investors on strategic initiatives to increase profits and productivity. Her tool set for managing the operational and organizational aspects of M&A due diligence through integration has been used by leading companies to plan and execute successful growth and transition. Ms. Smith has led Stratex Consulting since 1996, assisting leaders at Morgan Stanley, American Express, JP Morgan, Grant Thornton LLP, and KPMG in addition to various private firms. Previously, at Grant Thornton LLP, she advised middle market companies, government agencies and non-profit institutions. At Mount Sinai Medical Center, she performed strategic projects for the CFO and executive team. At the Federal Reserve Bank of New York, she worked with the financial community and the public to provide information and education about Fed policies and global capital markets. Ms. Smith received a degree in Romance Languages from Princeton University and an MBA in Finance and Public Policy Management from The Wharton School, where she was selected to participate in the International Exchange Programme at London Business School. She has lectured at Columbia Business School and volunteers her expertise to medical, community development, and cultural organizations.

### EVENT REGISTRATION:

Attendance is free.

Registration is required.

Please **RSVP** to:

[CardozoBLS@gmail.com](mailto:CardozoBLS@gmail.com)

For information:

Contact Chair, Liz Zessman

Tel: 347.614.6325

[lizzessman@gmail.com](mailto:lizzessman@gmail.com)

### EVENT DESCRIPTION

Private equity investments play an extraordinary and growing role in the development of the global economy. While private equity's roots can be traced back to the United States during the mid-1900s, we have seen private equity investments flowing into emerging countries with increasing frequency. The Cardozo Business Law Society's Private Equity Panel is composed of legal, financial, and business professionals who will share their opinions, insights, and experiences with private equity investments and will discuss how these investments are affected by and are shaping global development.

### BLS DESCRIPTION

The Cardozo Business Law Society is a student led organization, which was founded for students interested in pursuing careers in business law. Some of the interests the Cardozo Business Law Society focuses on include: Corporate Law, Corporate Finance, Private Equity, Capital Markets, Investment Banking, Venture Capital, and Entrepreneurship. Our mission is to focus on these member interests and bring all aspects of the business world one step closer to our members. We achieve this through luncheons, panel events, informational sessions and tours, and emphasis on establishing and maintaining a social/business network that our members will appreciate long after graduation.

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