

**Sneak Preview: How
Shareholder Activism Is
Affecting The 2016 Proxy
Season (ON-DEMAND RECORDING)**

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Sneak Preview: How Shareholder Activism Is Affecting The 2016 Proxy Season



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Webinar Overview

In 2015, there were 375 activist campaigns against public companies according to the research firm [FactSet](#). As 2016 marches forward, and activists begin to run up against the advance notice of nomination deadlines that most public companies have in place, we are starting to see that 2016 will likely rival, if not exceed, 2015 in the number of activist campaigns that are expected to be waged. What remains to be seen is how activist campaigns and company responses will be different in 2016 compared to 2015.

Key questions to be answered:

- How will the activist playbook differ in 2016 compared to 2015?
- Have activists become sophisticated in their ideas for value enhancement?

- Will companies respond to activists differently than last year?
- Are companies engaging more with activists than in years past?
- Will the trend of more large caps being targeted continue?
- Will we continue to see more than a majority of activist campaigns end in a settlement?
- Will companies be emboldened to fight by last year's victory by DuPont in its proxy contest?
- Will we see more situations where multiple activists target the same company?
- Is activism evolving into a year-round activity that extends way past proxy season?
- Will activists continue to receive significant support from institutional investors?
- How will the significant losses that some hedge funds suffered in 2015 affect activism activity in 2016?
- How much money do we expect to flow into activist funds in 2016?

For this webinar, hosted by [CommPro.biz](#) Contributing Editor Gene Marbach, we have assembled a panel of [shareholder activism](#) experts, all of whom bring to the discussion extensive experience in advising both large-cap and small-cap companies on how to prepare for and respond to shareholder activists and the campaigns they may wage.

Our Panel



Daniel H. Burch, the Co-Founder, Chairman and Chief Executive Officer of Mackenzie Partners, Inc., one of the country's leading and most well-known proxy solicitation firms. Dan develops strategies and campaigns for clients involved in proxy contests, tender offers, mergers, financial restructuring and other complex corporate transactions. Dan's particular focus is on advising clients on shareholder activism and corporate governance matters and is a veteran of numerous proxy contests. For close to three decades, Dan has led MacKenzie's efforts on behalf of its clients in campaigns in North America and Europe. Dan is a member of the Society of Corporate Secretaries and Governance Professionals and the National Investor Relations Institute.



Keith E. Gottfried, a Partner with the global law firm of Morgan, Lewis & Bockius LLP and the leader of its very busy shareholder activism defense practice. For 2014 and 2015, Morgan, Lewis & Bockius LLP was ranked No. 5 among law firms in the year-end league tables for legal defense of companies against activist shareholders that are compiled by

FactSet SharkRepellent. Keith concentrates his practice advising public companies and their boards of directors and special committees on such matters as proxy contests, activist shareholder campaigns, unsolicited offers and other contested control situations. Over the course a legal career that spans almost 25 years, he has been involved in defending numerous public companies against proxy contests, consent solicitations and unsolicited acquisition proposals.



Maureen T. Wolff, the President & Partner of Sharon Merrill, an investor relations strategic advisory firm focused on counseling clients on critical communications that resonate with stakeholders and deliver desired results in virtually any situation an enterprise may confront. Practice areas include investor relations, crisis communications, transaction communications, reputation and issues management, and presentation and media training. A national thought leader in investor relations and corporate communications, Maureen is a trusted advisor to CEOs, CFOs and boards of directors on critical communications issues related to corporate governance, shareholder activism and proxy contests, and Regulation FD. She is a past chairman and board member of the National Investor Relations Institute (NIRI), a member of the Senior IR Roundtable and vice chairman of NIRI's IR Certification committee.

Our Host



Gene Marbach, a CommPro.biz Contributing Editor. Gene focuses on communications and business-related topics with insights informed by his more than 30 years of experience in investor relations and corporate communications, most recently as group vice president at Makovsky + Company, an investor relations and public relations firm. Gene is a prolific commentator on issues relating to investor relations and corporate communications and a frequent speaker and moderator at webinars and seminars focused on best practices in investor relations and corporate communications as well as evolving practices such as the use of social media to communicate with investors, whether in the context of a company's routine quarterly earnings announcements or less routine events such as planning for an IPO, responding to an activist shareholder, executing an M&A strategy or responding to a crisis.

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