

## CASE SUMMARY | RISK & COMPLIANCE

# CFIUS Trust Solution



### SITUATION

A US-managed investment company with significant foreign funding and a focus on debt-based investments in the US medical tech industry wanted to proactively address possible compliance risk and business friction in the context of the changing US foreign investment regulatory review environment.



### TASK

The Ankura team was engaged to assist the company and counsel design and implement a financial structure that would appropriately address regulatory risk, facilitate efficient investment execution, and maximize investment company value.



### ACTION

Ankura engaged with company leadership and their counsel to quickly assess their business needs and design and implement a solution integrating the following elements:

- Building a tailored cross-functional team integrating Ankura professionals with Committee on Foreign Investment in the US, financial services, and corporate governance expertise
- Working collaboratively with counsel, company key personnel, and other interested stakeholders to proactively identify and define ways to address regulatory, business execution, and investor value risk factors
- Leveraging Ankura's state-chartered trust company to build a collateral trust structure to hold target company potentially CFIUS-covered equity and assets in escrow and establish a trust structure to compliantly liquidate assets in event of default
- Pragmatic, project-managed implementation to assure that collateral trust structure effectively supported engagement objectives and smoothly adapted to address changing regulatory and investment environment opportunities



### RESULTS

Investment company enabled to integrate foreign funding into US high tech investment opportunities with potential regulatory risk and business friction proactively addressed.

## ABOUT US

Ankura is defined by *HOW* we solve challenges. Our business advisory and expert services focus on designing, developing, and executing solutions for clients, whether they are facing immediate demands, increasing value, or protecting against risks. We create innovative strategies for the ever-changing business environment, giving clients unparalleled insight into economic, governance, and regulatory issues. Assembling the right expertise for each client and situation, we know that **collaboration drives results.**