



capstone



restructuring \ litigation \ valuation

CAPSTONE ADVISORY GROUP, LLC

## Built on Experience, Leading with Excellence

Complex business situations create a need for **unbiased advice** and experienced **guidance**. Capstone Advisory Group, LLC provides expert solutions for lenders, companies, investors and attorneys.

Our comprehensive financial, operational, and strategic advisory services and multidisciplinary resources are founded upon the **commitment** and hands-on **experience** of our greatest assets, the Capstone professionals who are at the **forefront** of these disciplines.

# best in class



Critical to success is the unbiased counsel of experienced professionals who can navigate through it all. Capstone Advisory Group, LLC is a leader in providing multidisciplinary services and solutions to lenders, companies, investors and attorneys through our core practice areas:

- ▼ Restructuring and Transaction Advisory Services
- ▼ Litigation, Forensic and Dispute Resolution Services
- ▼ Valuation Services

## The Capstone Difference

### Big-Firm Expertise with a Boutique Personal Touch

Capstone has led the resolution process in some of the most complex corporate domestic and international matters. Our broad experience and superior service, coupled with our personal, hands-on approach, have benefited hundreds of clients — from small businesses to Fortune 500 companies, in a wide array of industries.

What truly sets us apart beyond the exceptional knowledge and results we bring to our clients, and the strong leadership position and track record we hold in our industry, is our greatest asset: a top-tier team of senior professionals who are at the forefront of their respective disciplines. Our professionals are completely committed to meeting the needs of each client.

## The Capstone Approach

### Full Service Attention to Every Unique Need

- ▼ We partner each client with a select and qualified team whose background best serves their specific challenges
- ▼ We quickly determine, investigate and understand the core issues and factors at hand so we can get the facts, take positions, and give straight answers
- ▼ We conduct in-depth analysis to assess strengths and weaknesses, identify opportunities and risks, understand the big picture, and maintain a global view with an eye for the details
- ▼ We communicate, early and often, to keep clients informed and processes streamlined
- ▼ We have forged long-term relationships with loyal clients, a testament to our success
- ▼ We partner with an international accounting and advisory firm as well as a boutique tax consulting firm to ensure our clients global representation and sound tax advice

# commitment

# superior reputation

Companies that are restructuring, involved in a merger or acquisition, or considering a new loan or investment turn to Capstone Advisory Group, LLC for the expert knowledge and resources that will help evaluate the undertaking, and maneuver effectively through the process.

## Restructuring Services

Businesses in transition face enormous financial and operational challenges, especially in over-leveraged situations. Capstone is your partner in bringing order to the chaos. We help companies and their stakeholders identify and prioritize the issues, restore credibility and develop solutions.

### Unique Perspective

At Capstone, we understand the divergent perspectives between parties in a troubled company situation, and we know how to bridge the gap. Our leading-edge insight as advisors, crisis managers, and corporate officers in middle-market to multinational restructurings across a diverse number of industries lets us quickly present practical alternatives, design strategies that maximize value, and promote the most viable solutions. That is why we have been trusted at the helm of negotiations for some of the most complex domestic and international reorganizations in recent history.

### Well-Rounded Experience

Capstone's senior professionals average over 20 years of experience working with attorneys, lenders, companies and investors. Our wide scope of restructuring services spans areas that include financial analysis, plan development and implementation, and advice on sale/merger transactions. More specifically, we offer seamless assistance with:

- ▼ **Strategies to Conserve Liquidity; Implementing Cash Management and Forecasting**
- ▼ **Strategic and Business Planning; Financial Modeling**
- ▼ **Profit Improvement and Cost Rationalization**
- ▼ **Analysis and Negotiation of Restructuring Alternatives**
- ▼ **Development and Implementation of Strategies to Maximize the Value of Assets, Including Intellectual Property**
- ▼ **Bankruptcy Planning and Process Management**
- ▼ **Interim and Crisis Management, Including CRO**
- ▼ **Negotiating Debtor-in-Possession, Bridge, and Exit Financing**
- ▼ **Expert Testimony**
- ▼ **Developing Key Employee Compensation Programs**
- ▼ **Monitoring Financial Performance and Collateral**
- ▼ **Going-Concern and Liquidation Valuations**



## Transaction Advisory Services

Businesses of all sizes, including some of the world's largest commercial and investment banks, private equity and venture capital firms, and their legal counsel, consistently turn to Capstone Advisory Group, LLC for our client-centric, results-driven transaction advisory services. Whether evaluating or executing mergers and acquisitions, substantial loans and investments, the purchase, sale or licensing of intellectual property or other valuable assets, we have the flexibility and experience to help your team make decisions and move efficiently to closure. Ours is a more personal, cost-efficient approach than larger, more structured firms; and our transactional experience stretches over an incredibly broad range of industries. We partner with international advisory and tax consulting firms to ensure all areas of multinational, complex transactions are addressed.

### Streamlining the Process

Capstone is a one-stop solution for advice on executing any type of transaction. From financial and operational due diligence, and assistance in the evaluation of capital markets opportunities, to cash and working capital forecasting and other vital functions, our valuable guidance will ensure your successful transaction.

We assist in evaluating:

- ▼ Integrity of Business Plans and Cash Flow Projections
- ▼ Quality of Earnings and Control Environment
- ▼ Management and Managerial Systems
- ▼ Obstacles to Growth
- ▼ Synergy and Shutdown Analysis
- ▼ Design and Implementation of Integration Plans
- ▼ Accounting Policy Issues
- ▼ Debt Capacity and Capital Structure
- ▼ Compliance Reviews
- ▼ Business Valuation Services
- ▼ Post-Closing Transaction Support Related to Adjustments and Disputes
- ▼ Transition Services Agreements
- ▼ Intellectual Property, Including Purchase, Licensing, and Monetization Options



## Fiduciary Services

Capstone acts as a “central station” for handling plan implementation and trustee services. Our seasoned professionals have served key roles on our clients' behalf to represent their interests, including Corporate Officers, Responsible Officer, Receiver, Trustee, Examiner, Administrator and Advisor. We provide expert services in the following areas:

- ▼ Bringing and Resolving Avoidance and Other Causes of Action
- ▼ Pursuing Recoveries of Contingent Assets, such as Insurance, Credit Cards and Tax Refunds; Converting Assets to Cash (i.e., Real Estate, Securities, International Assets)
- ▼ Claims Management Administration and Resolution
- ▼ Managing Trust Registries and Distributions to Creditors
- ▼ Accounting, Reporting and Compliance Including Tax Returns
- ▼ Interacting with Stakeholders; Providing Informational Reporting and Projected Recoveries
- ▼ Identifying Key Debtor Personnel to Wind Down the Business
- ▼ Managing Orderly Wind Down of a Business or Trust Within Budget Guidelines
- ▼ Interacting as Appropriate with Bankruptcy Court and U.S. Trustee

# results-driven

# expert knowledge

Capstone Advisory Group, LLC has been instrumental in resolving hundreds of disputes, both in and out of court and around the globe, putting our professional consulting, expert litigation and forensic investigation services to work for our clients.

## Litigation, Forensic Investigation and Dispute Resolution Services

We pride ourselves not only on our breadth and depth of experience, but on the caliber of our credentialed professionals who include Certified Public Accountants, Certified Fraud Examiners, Certified Licensing Professionals, former prosecutors, forensic accountants, certified valuation experts and former law enforcement professionals — all skilled and ready to take on unique situations.

### A Powerful Partner

Capstone provides the highest level of litigation support and forensic services to our clients in arbitrations, mediations, complex commercial litigations and financial investigations. Broadly, our services include the development of litigation issues and strategies, assessment of alternatives, damages assessments, creation and challenge of claims, evaluation of strengths/weaknesses of litigation positions and uncovering information in financial matters together with comprehensive discovery and analyses.

We assure our clients meticulously prepared expert reports and trial-tested expert testimony presented in state and Federal courts, as well as in arbitrations and mediations. Capstone's subject matter experts cover multiple industries, geographies and disciplines and assure the discovery and presentation of sourced information that stands up to the most rigorous scrutiny. Capstone professionals provide valuable experience and expertise whether it be conducting sensitive and discrete investigations or assisting clients in minimizing risk and ensuring compliance with relevant laws and regulations

Typical litigation, forensic and dispute resolution services include assisting attorneys and companies with:

- ▼ **Commercial Litigation**
- ▼ **Internal and Forensic Investigations**
- ▼ **GAAP Related Litigation Support**
- ▼ **Regulatory Investigation and Compliance**
- ▼ **Investigative Due Diligence and Asset Searches**
- ▼ **Business Intelligence**
- ▼ **E-Discovery and Computer Forensics**
- ▼ **Intellectual Property Services**
- ▼ **Bankruptcy Related Litigation Services**
- ▼ **Insurance Claims**



# unique credentials



Due to the specialized nature of this work, Capstone established a discrete entity, Capstone Valuation Services, LLC, and staffed it with senior accredited valuation professionals.

## Valuation Services

Valuations are critical to the strategic decisions in managing or evaluating a business, buying or selling of assets, or dispute resolution, and are rigorously examined by investors, lenders, boards of directors, corporate advisors, and regulatory agencies, including the SEC, the PCAOB and the IRS. Capstone's valuation experts have performed thousands of business and intellectual property valuations in the last decade, and bring tested, real-world experience to bear in providing opinions of value where your business enterprises, interests, non-core assets and liabilities are concerned. We help eliminate the controversy that so often exists in these matters, and inject the credibility and confidence that are paramount in moving forward.

### Highly Specialized Expertise

Specialists in going-concern, liquidation, fair value, tax, transactional and intellectual property valuations, Capstone provides thorough, defensible valuation reports and expert testimony. Not only do we have broad industry experience; we specialize in knowing the market conditions critical to valuing equities, derivatives, fixed income and intangible assets. We take time to understand and evaluate your underlying business, key assets and industry, then present comprehensive conclusions based on a thorough analysis and backed by years of experience.

Our extensive valuation services include:

- ▼ **Financial/Accounting/Tax**
  - Valuations – Fair Value & Fair Market Value
  - Purchase Price Allocation
  - Goodwill and Asset Impairment Testing
  - Fresh Start Accounting
  - Transfer Pricing
  - Private Equity Portfolio Valuation
- ▼ **Litigation and Arbitration Support**
  - Expert Reports and Testimony
  - Settlement Analysis
  - Tax Controversies
- ▼ **Tactical/Strategic**
  - Joint Venture and Alliance Contributions/Breakups
  - Intellectual Property Portfolio Assessment
  - License Program Development
- ▼ **Transactional**
  - Fairness Opinions
  - Solvency Opinions
  - Capital Adequacy Opinions
  - Buyer/Seller Pricing Analysis
  - ESOP Transactions
  - Negotiation Support
  - Due Diligence

# full service

Capstone's intellectual property ("IP") practice brings together a team of industry-leading professionals to meet the expanding needs of our clients in intellectual property matters.

## Intellectual Property Services

Our seasoned team of professionals brings deep, hands-on experience in IP transactions, IP litigation, the development and execution of IP strategies, and the valuation and assessment of all types of intellectual property, in a variety of contexts, and for all types of clients in a wide range of technology areas.

We have held executive roles in major corporations with responsibility for creation, management, and leverage of IP assets on a worldwide basis. We have substantial experience handling the following issues:

- ▼ Providing expert opinions in disputes involving patent, copyright, and trademark infringement and the misuse of trade secrets
- ▼ Performing intellectual property valuations, bringing strong real-world IP transaction experience to bear in providing opinions of value
- ▼ Negotiating intellectual property licenses, purchase and sale agreements, and related transactions
- ▼ Advising clients in the development of IP strategies to deliver the highest and best value from their portfolios

Capstone's IP practice bridges our core expertise: Litigation, Forensic, and Dispute Resolution Services, Valuation, and Restructuring and Transaction Advisory Services.

### Litigation, Forensic and Dispute Resolution Service

We provide expert analysis and opinions related to potential damages owed to or by parties in intellectual property, transactional, and related disputes.

### Valuation Services

We provide expert analysis and opinions related to the value of all types of intellectual property and other intangible assets in various contexts.

### Transaction Advisory Services

We provide a full range of transactional services in support of the acquisition, sale, or licensing of intellectual property, including targeting, marketing, negotiation, transaction structuring, and closure.

### Strategic Advisory Services

We assist clients in a range of matters associated with the strategic assessment and leveraging of their intellectual property portfolios, including the development of strategies, portfolio assessments, and the development and implementation of acquisition and/or monetization strategies.

# trusted guidance

With an industry-leading team of professionals and services, Capstone Advisory Group's Fund Services practice meets the expanding needs of clients in the funds and financial services industry.

## Fund Services

Our senior team of professionals brings deep, hands-on experience in fund management, operations, transactions, valuation, and wind-downs. Capstone's Funds professionals have:

- ▶ Extensive experience as independent investment management fiduciaries and wind-down managers. Our professionals have served as fund managers and fiduciaries in a variety of both ongoing and controlled fund wind-down situations
- ▶ Highly specialized expertise in valuing hedge funds, venture capital funds, and private equity funds and their illiquid assets for their general partners, fund managers, investors, potential investors, accountants, and tax advisors
- ▶ Assisted fund managers with the acquisition and sale of assets. Our experienced transaction and industry teams have supported fund clients with financial diligence, negotiation, transaction structuring, and closure
- ▶ Advised on the restructuring of a number of high profile fund managers, BDCs, and financial services businesses
- ▶ Assisted fund managers and investors resolve disputes

Capstone's Fund Services practice is an integrated practice of fund management, fiduciary, valuation, restructuring, transaction advisory, and dispute resolution services.

### Fund Management and Fiduciary

We provide a platform to assist funds and their investment advisors manage the exit of investments and funds. Our experienced team of industry experts serve as independent fiduciaries, replacement managers and trustees in executing exits, fund dispositions, and wind-downs.

### Valuation

We deliver expert analysis and opinions related to the value of all types of assets in various contexts. We provide funds and their valuation committees with assistance on portfolio valuations, level 3 valuations, and valuations for tax structuring purposes, all in compliance with relevant professional standards and FASB ASCs.

### Restructuring and Transaction Advisory

Capstone provides services in support of the restructuring, acquisition, and sale of portfolio assets. For funds experiencing distress or liquidity issues, we work with investors and their managers to assess strategic and restructuring alternatives and assist or advise on value maximizing courses of action.

### Dispute Resolution

Capstone provides insight and clarity, helping clients mitigate risk, protect value, and enhance credibility. Our expert dispute resolution team assists funds and their investors deal with complex accounting, regulatory and compliance scrutiny. Our professionals assist fund managers and investors resolve disputes.