

Eric B. Amstutz,

MEMBER

Eric Amstutz concentrates his practice in advising businesses; the negotiation, drafting and analysis of complex agreements, including business mergers, acquisitions, dispositions, joint ventures and spin-offs; corporate and board governance issues; insolvency-related matters; equity and debt securities offerings; government-private sector transactions; and business practice assistance in litigation.



CONTACT

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PRACTICE AREAS

- **Corporate**
- **Mergers and Acquisitions**
- **Joint Ventures and Public-Private Partnerships**
- **Outside General Counsel**
- **Securities and Corporate Finance**
- **Bankruptcy, Insolvency and Creditors' Rights**
- **Shareholder Oppression**

EDUCATION

1978, J.D.	Yale Law School
1975, B.A.	Swarthmore College, with highest honors, Phi Beta Kappa
1971	Groton School, summa cum laude

REPRESENTATIVE MATTERS

- Advised several public companies and their boards of directors respecting mergers, acquisitions, spin-offs, proxy contests, tender offers, debt and equity securities issuances, exchange offers, corporate governance, related party transactions, syndicated bank financings, distressed financial circumstances and SEC filings.
 - Represented the developer of Greenville’s downtown 15,900 seat arena (now known as the Bon Secours Wellness Arena) in structuring the private-public relationship and negotiating the primary contracts and financing documents.
 - Represented the private developer in negotiating the development, program management and construction management agreement with the School District of Greenville County for its \$1 billion facilities construction program.
 - Represented non-controlling owners of a nationally-known real estate resort development company in their purchase of the controlling owners’ equity interests and resale of all equity interests to a third party purchaser in settlement of a minority shareholder oppression lawsuit.
 - Represented the independent directors of a corporate owner and operator of several high-end golf course properties in the corporation’s senior debt restructuring efforts.
 - Represented a director, officer, majority owner and guarantor in the Chapter 11 proceeding of a product distributor.
 - Represented a significant manufacturer in outsourcing a portion of its operations and subsequently in unwinding the outsourcing relationship.
 - Part of the Wyche team that represented ESOP participants in an ERISA class action against plan fiduciaries and others, which resulted in a significant settlement for the benefit of class members.
 - Part of the Wyche team that represented the South Carolina Senate and state government utility oversight agency in litigation against major electric utility concerning abandoned nuclear powerplant.
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PROFESSIONAL BACKGROUND

1980- Present	Wyche, P.A.
1979-80	Law Clerk, Hon. Potter Stewart, Associate Justice, United States Supreme Court
1978-79	Law Clerk, Hon. Gerhard A. Gesell, United States District Court for the District of Columbia

BAR & COURT ADMISSIONS

- United States Supreme Court, 1985
 - South Carolina Bar, 1981
 - District of Columbia Bar, 1980 (currently inactive)
 - South Carolina State and Federal Courts
 - Fourth Circuit Court of Appeals
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PROFESSIONAL & COMMUNITY ACTIVITIES`

- Corporate/Transactional Practice Group Leader, 2002-2012
- United Way, Financial Stability Council, Member, 2010-2018; Strategic Investment Committe, Vice Chair, 2018-present

- **Greenville Local Development Corporation, Member of Board of Directors, 1997-2011; President, 1999-2002**
 - **The Peace Center Foundation (Greenville's Performing Arts Center), Member of Board of Trustees, 1985-2001; Member of Executive Committee, 1990-2001; President and Chairman, 1996-1998; Treasurer, 1985-1995; Chairman of Finance Committee, 1988-1995**
 - **Community Foundation, Grants Review Committee, Member, 2011**
 - **Phillis Wheatley Association, Member of Board of Directors, 2006-08; Member of Finance Committee, 2006-08**
 - **Greenville Symphony Association, Member of Board of Trustees, 2000-06; Chairman of Long Range Planning Committee, 2002-06; Chairman of Governance Committee, 2004-06**
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PUBLICATIONS & PRESENTATIONS

- **Doing Business in South Carolina Guide, co-author of Section II: Business Entities and Section XI: Securities and Blue Sky Regulation**
 - **KPMG Audit Committee Roundtable Panelist, 2002-2005**
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HONORS AND AWARDS

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| 2015 | Named "Greenville <i>Best Lawyers</i> Corporate Governance Law Lawyer of the Year" |
| 2012 - Present | Recognized as "Legal Elite" by the <i>Greenville Business Magazine</i> |
| 2012 - Present | Listed in South Carolina <i>Super Lawyers</i> |
| 2005 - Present | Listed in <i>Chambers USA</i> |
| 2005 - Present | Listed in <i>Best Lawyers in America</i> |
| 2009 | Named "Greenville <i>Best Lawyers</i> Corporate Lawyer of the Year" |
| 2006 | Greenville Symphony Association Outstanding Board Member Award |
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