

Publications

Real Estate Matters in Acquisitions and Mergers

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Herb Hedden and Judy Marsh, both partners in the firm's Columbus office, authored a chapter for *Mergers and Acquisitions of Franchise Companies* (Second Edition, 2014, American Bar Association). Hedden and Marsh's chapter is titled "Real Estate Matters in Acquisitions and Mergers." It outlines the aspects of real estate control that are inherent in operating a franchise system and in acquiring a franchise system. It includes issues that counsel should consider when structuring transactions, negotiating deals, drafting documentation and determining the scope of real estate due diligence.

The chapter states:

"The acquisition of a franchise system requires both the usual and customary review of diligence and proper documentation required in any acquisition, but adds an additional layer of complexity to ensure the continued success of the franchise system post-closing. Thus, experienced real estate counsel, plus working knowledge of how franchise systems operate, how the seller operates its franchise system, and the purchaser's needs and expectations for the acquired franchise system, all play very important roles in defining how real estate will be addressed in the acquisition of any existing franchise system."

Mergers and Acquisitions of Franchise Companies is available from the [American Bar Association website](#).