

# Michael A. Okaty

## Partner

[mokaty@foley.com](mailto:mokaty@foley.com)

Orlando

407.244.3229

New York

Los Angeles



Michael (Mike) Okaty is a business lawyer who helps companies and their owners accomplish their goals, from formation to raising capital to mergers and acquisitions and beyond. He uses his tax background and business acumen in day-to-day advising of his clients in their personal and professional endeavors. Mike builds long-lasting relationships with clients, who consider him a well-rounded, trusted advisor.

“Mike and the Foley team worked tirelessly, around the clock (24/7) for months to shepherd us through, and protect our interests at every turn. They ran circles around our merger partner’s counsel in a methodical, unflappable manner.”

– Brian Albertson, CEO – SLA Management

“Notwithstanding the large number of legal relationships my team and I have developed, we consistently return to Mike due to his excellent advice, fair and balanced opinions and impressive work ethic.”

– Max Eliscu, CEO – LSQ Funding and Viewpost

Mike represents companies for the life of the business — from garage to global — and serves as an advisor and trustee to high-net-worth individuals and families. He has experience in a wide variety of corporate law matters, including corporate formation; corporate operations and governance; contract drafting, review and negotiation; mergers and acquisitions; private equity and venture capital matters; capital raising, capital market investment, and finance transactions for public and private companies and lenders. His practice includes merger and acquisition work for the senior housing sector.

“I feel fortunate to have had Mike Okaty from Foley on my side during the sale of my company. Mike was able to walk me through the entire process, bringing in expertise to address the different aspects of the sale, while ensuring that the transaction completed

without any issues... I was always confident that the advice that I was getting would help me in the short and long term, and it has proven to be true."

– Esteban Garcia, Founder and CEO, Nebbia Technologies

"Mike Okaty and his team of lawyers dedicate their professional lives to serving their clients. They are always available to partner with us on deals...delivering the energy required to move boulders and close a transaction."

– Alex Santos, CEO – Fortress Information Security

Mike is presently co-chair of the firm's Transactions Practice and a member of its Finance Committee and Federal PAC. Formerly, he served as a member of the firm's Management Committee, as vice chair of the Industry Teams Department and as managing partner for the Orlando office. He is founder and former chair of the firm's Senior Living Industry Team.

## Representative Experience

Mike has led hundreds of transactions over his decades in practice, including the following representative matters.

### General Corporate

- Represented Fortress Information Security LLC, an Orlando, Florida-based cybersecurity company specializing in protecting the supply chains of defense and utility organizations in its venture capital raise, which included the structuring, negotiation, and closing of the transaction.
- Represented BlackCloak, LLC in their conversion to a Delaware c-corp and sale of preferred stock to DataTribe II, LLC as part of its Series Seed Preferred Offering. BlackCloak, Inc., uses enterprise grade solutions and its own proprietary technology to offer cybersecurity and privacy protection to high-net-worth individuals, families, and executives.
- Represented Lacerta in its Series A Preferred Offering to Sarepta.
- Structured the three-way merger of Florida's largest blood banks, which resulted in the second-largest blood bank in the nation (second only to the American Red Cross). The new organization is now known as OneBlood Inc.
- Represented Halifax Media Holdings LLC in the acquisition of The New York Times Company's Regional Media Group. This was a challenging transaction in which the team faced a complex purchase of 16 different newspaper businesses in six states. The financing structure included five loans from four lenders and a sale-leaseback. With this transaction, Halifax doubled their media holdings.
- Advised LSQ Funding Group and Viewpost Holdings in private placements of debt and equity

### Senior Living

- Represented Revera Health System in the sale of 47 nursing homes to Health Care REIT Inc. (HCN) with a deal value of US\$1.3bn.

- Counseled Revera Health Systems in its acquisition and recapitalization of Sunrise Senior Living, the leading operator of assisted living facilities in the US with operation in Canada and the UK as well. The transaction entailed a three-part merger, leveraged acquisition and joint venture with Health Care REIT (NYSE) involving sellers KKR, Beecken Petty and O'Keefe, Health Care REIT as minority investor and Key Bank as senior lender. Revera is the leading operator of senior living facilities in Canada and is owned by the Public Sector Pension Investment Board of Canada, a Canadian Crown Corporation.
- Counseled on the acquisition and related financings of Sentio Healthcare Properties' entire portfolio.
- Counseled a foreign company, FKP Property Group, in acquiring U.S.-regulated health care facilities in multiple states from Principal Senior Living Group.

## Awards and Recognition

- *The Best Lawyers in America*®
  - Lawyer of the Year – Business Organizations (2023)
  - Business Organizations (including LLCs and Partnerships) (2015-2024)
  - Corporate Law (2010-2024)
- *Chambers USA: America's Leading Lawyers for Business* – Corporate/M&A & Private Equity (2021-2025)
- *Florida Super Lawyers–Rising Stars*® (2009, 2011-2014)
- *Orlando Business Journal's "40 under 40"* (2008 and 2011)
- "Florida Trend Legal Elite Up & Comer" – *Florida Trend* magazine (2004)

## Affiliations

- American Bar Association – Former Chair, Senior Housing Section
- Upshot Investment Committee – Current Member
- University of Central Florida
  - Former Vice Chair of the UCF Board of Trustees
  - Former member of UCF's Foundation Board, Convocation Corp, Research Foundation Board, and Senior Living Degree Advisory Board
- Western U
  - Board of Trustees – Current member
  - Finance Committee – Current member
  - Audit Committee– Current member
- Investing Local – Co-founder and managing member
- 1858 Capital Partners – Founding director and board chair
- NCF Advisory Board – Current member
- OneBlood Foundation Board – Current member
- Florida Venture Forum Board – Current member
- NYU Alumni Association Board of Directors – Former member
- ACG Central Florida Board – Former member

- Brevard Zoo Board of Directors – Former member
- Maitland Art and History Board – Former member
- WMFE (NPR) Advisory Board – Former member

## **Presentations and Publications**

- Panelist, "M&A trends: What lies ahead with current uncertainties," HLB Audit – Tax – Advisory Conference 2022 (July 6-9, 2022)
- Panelist, "Expert Insights for CFOs: The Election's Impact on the Economy, Capital Markets, M&A and Taxes," Florida Institute of CFOs (December 1, 2020)
- Quoted, "[A Good Hill to Try On](#)," Seniors Housing Business (March 5, 2020)
- Author, "The Legal Aspects of Investing in Senior Housing," *American Bar Association, Probate & Property Vol. 33*, (May-June 2019)
- Panelist, "Financing Senior Housing Properties," 2018 July Substantive Call, The ABA Section of Real Property, Trust & Estate Law (July 17, 2018)
- Co-author, "[Consider This Before Jumping into the Seniors Housing Market](#)," *National Real Estate Investor* (January 9, 2017)
- Co-author, "[What Does It Take to be a Winner in the Senior Housing Market?](#)" *Multi-housing News* (November 22, 2016)
- Co-author, "How Hotel Developers Can Break into Senior Housing," *HOTELS* (October 25, 2016)
- Co-author, "Asset Protection: Creating Operating Agreements to Assure Continuity," *Journal of Physician-Owned Real Estate* (2016)
- Panelist, Healthcare Panel, BDO Mid-Year Accounting and Tax Update, Orlando, Florida (June 8, 2016)
- Contributing author, *Post-Acute Care Handbook: Regulatory, Risk, and Compliance Issues*, published by the American Health Lawyers Association (2015)
- "[The \(Not-So\) Hidden Risks of RIDEA Investment Structures](#)," *Health Care Law Today* (May 19, 2014)
- Co-author, "Nursing Facility Transparency and Congress," *Health Law 360* (November 11, 2008)

## **Sectors**

- [Health Care & Life Sciences](#)
- [Health Tech & Genomics](#)
- [Innovative Technology](#)
- [Medical Devices](#)
- [Providers of Health Care Services](#)

## **Practice Areas**

- [Capital Markets & Public Company Advisory](#)
- [Corporate](#)
- [Finance](#)
- [Mergers & Acquisitions](#)

- Post-Acute Care & Senior Housing
- Public Finance
- Transactions

## **Education**

- New York University School of Law (J.D., 2000)
- New York University School of Law (LL.M., 2004)
  - Tax Law
- University of Central Florida (B.A., magna cum laude)
  - Finance and Accounting

## **Admissions**

- Florida
- New York
- California
- U.S. Tax Court