



Scott M. Fabry Of Counsel

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Scott M. Fabry is of counsel in Reinhart's Corporate Law Practice and has extensive experience counseling closely held, middle-market businesses including many family-owned businesses. Scott focuses his practice primarily in the areas of mergers, acquisitions, recapitalizations and buyouts; capital fundraising and venture capital transactions; succession planning and business restructuring; negotiating supply and distribution agreements; and partnerships and joint ventures.

Scott works closely with his clients - both as a trusted business advisor and as legal counsel - to help develop and implement strategies to facilitate growth and increase value at every stage of a company's life cycle. Scott also uses his accounting and tax background to help clients evaluate and implement tax credit financing in commercial real estate development projects including manufacturing facilities, hotels and office buildings.

During his years of practice, Scott has been involved with hundreds of purchase, sale and merger transactions involving a variety of industries such as asphalt manufacturing, fabrication, stamping, machining, die casting and manufacturing operations, and he has also been involved in a number of transactions involving distributors, construction services, medical devices, and software and other technology transfers. Scott is particularly skilled in acquiring businesses for clients out of receivership and bankruptcy proceedings, and he is able to utilize leveraged purchase and redemption transactions as an exit strategy for founding owners and as an avenue for existing management to obtain ownership. Scott works closely with the estate planning practice group to develop sophisticated strategies for transitioning businesses to the next generation, and he is skilled at structuring complex buy-sell arrangements to facilitate succession and provide liquidity in the event of death or other events that result in a transfer of ownership.

Over the years, Scott has utilized his expertise in partnership taxation to structure complex partnership and joint venture arrangements for operating companies and developers, often times involving Rehabilitation Tax Credits and New Markets Tax Credits to facilitate debt and equity financing for such projects.

In addition to his legal practice, Scott serves on a number of advisory boards for his clients in an effort to more



fully understand the challenges facing a client's business and to help implement strategies that will allow his clients to achieve goals while maximizing value.

Scott primarily serves clients in the following areas:

- Business Counseling
- Mergers and Acquisitions
- Private Equity, Venture Capital and Corporate Finance
- Succession Planning and Exit Strategies
- Federal Tax Planning
- Tax Credits

Education

- J.D., Marquette University Law School
- LL.M., with distinction, Georgetown University Law Center (Taxation)
- B.S., cum laude, Marquette University

Bar Admissions

Wisconsin

Practices

- Corporate Law
- Tax

Services

- Federal Tax Planning
- Mergers and Acquisitions
- Succession Planning

Matters

- Sale/merger transactions in a variety of industries
- Acquisition of numerous asphalt manufacturing operations
- Acquisitions in connection with receivership and bankruptcy proceedings



- Various acquisitions and dispositions involving private equity funds
- Leveraged purchase and redemption transactions involving management and founding owners
- Structuring complex partnerships and joint venture arrangements
- Significant experience negotiating supply and distribution agreements
- Represented developers in complex Rehabilitation Tax Credit structures to facilitate debt and equity financing for projects
- Represented senior lenders, developers and tax credit buyers in leveraged New Markets Tax Credits financing transactions

Honors & Affiliations

Honors

- Selected for inclusion in Wisconsin Super Lawyers (Mergers and Acquisitions) since 2008
- Best Lawyers' Business Organizations "Lawyer of the Year" (2022, 2024)
- Best Lawyers in America (Business Organizations [including LLCs and Partnerships]; Closely Held Companies and Family Business Law; Tax Law)
- Wisconsin Top Rated Lawyer Martindale-Hubbell AV® Preeminent™ Peer Review Rated

Affiliations

- Waukesha Bar Association
- State Bar of Wisconsin
- American Bar Association
- Wisconsin Institute of Certified Public Accountants
- American Institute of Certified Public Accountants

Publications

- "New Markets Tax Credits Can Benefit Investors and Stimulate Community Development" published in Small Business Times on April 7, 2005
- "Tax News: Check-The-Box Has Arrived" Spring 1997