

Gray Reed Recognized by The M&A Advisor for International Transaction

December 14, 2020

[The M&A Advisor](#) recognized Gray Reed in its [12th Annual International M&A Awards](#) as the "Africa Region Deal of the Year" and in its [19th Annual M&A Advisor Awards](#) as the "Cross Border Deal of the Year (\$50MM-\$75MM)."

The 2020 award winners were chosen from hundreds of prominent nominees. Evaluation of the nominees and selection of the winners was completed by an [independent judging panel](#) made up of renowned members and experts in the M&A, finance and turnaround community.

Gray Reed was recognized for its work with Nitya Capital and its \$150 million recapitalization with approximately \$50 million of new equity of a portfolio of multiple multifamily assets located in Texas. The Olayan Group provided the majority of the financial backing for the recapitalization. Gray Reed assisted with the purchase of the equity of multiple upper tier holding partnerships and the inbound tax planning for the foreign investor as well as the creation of a joint venture entity for the new partnership between Nitya and Silverpeak.

To manage liability exposure, Gray Reed assisted with a reorganization prior to the transaction involving divisive mergers in order to split each entity in two, dividing liabilities and obligations of lower tier companies, as well as moving the Nitya promote interests up several tiers through tax-free distributions in order to permit Nitya to make a tax free rollover of its promote interests into the ending equity structure.

Additionally, Gray Reed created a blocker entity for the foreign investment equity as well as structuring an inbound foreign loan. Gray Reed assisted with modeling economic returns and 704(c) calculations to allow Nitya's promote to be rolled. Nitya was able to fund nearly all of its equity investment primarily through a tax free contribution of previously created value in its promoted interests. Gray Reed provided international tax planning to Saudi Arabia-based Olayan Group accommodate inbound U.S. real estate investment.

Gray Reed attorneys involved were [Dan Kroll](#) and [Austin Carlson](#).

The International M&A Awards and The M&A Advisor Awards will be presented at virtual galas on January 21, 2021, and February 4, 2021, respectively.

In previous years, The M&A Advisor has recognized Gray Reed in the "[Healthcare/Life Sciences Deal of the Year \(Under \\$100 million\)](#)" and "[M&A Deal of the Year \(\\$25 million to \\$50 million\)](#)" categories.

About The M&A Advisor

The M&A Advisor was founded in 1998 to offer insights and intelligence on M&A activities. Over the past 22 years, The M&A Advisor has established the premier global network of M&A, turnaround and finance professionals. Today, they have the privilege of recognizing the achievements of, and facilitating connections between the industry's top performers throughout the world, while providing them with a comprehensive range of services. To learn more visit www.maadvisor.com.

About Gray Reed

A full-service Texas law firm with offices in Dallas and Houston, Gray Reed provides legal services to companies ranging from start-up to Fortune 500 as well as high net worth individuals. Gray Reed attorneys assist clients with a myriad of legal issues including commercial litigation, corporate transactions, oil and gas, tax planning and litigation, real estate, construction, healthcare, trusts and estates, employment law, family law, intellectual property and bankruptcy. For more information, visit www.grayreed.com.

About Nitya Capital

[Nitya Capital](#) is a privately held real estate firm with approximately \$2 billion in real estate assets throughout the country. The firm's assets span from its 16,000 multifamily units to commercial office, single family homes, retail, townhome development and multi-use ground-up development projects. Nitya is a vertically integrated real estate platform that manages its assets through its sister property management arm, [Karya Property Management](#).

About Silverpeak

[Silverpeak](#) is an alternative investment management firm focused on creating long-term value in three specific sectors: real estate, energy, and credit. The firm's sector-focused platform includes more than 100 employees who have invested in over \$18 billion in gross asset value since the firm's founding in 2010. Further information is available at <https://www.silverpeak.com/>.

About The Olayan Group

The [Olayan Group](#) is a private, multinational investor with decades-old experience in US real estate and a very substantial portfolio of multifamily properties in major metro markets.