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Books in Print Supplement ,2002 **Comparative Company Law** Andreas Cahn,David C. Donald,2018-10-04 When comparing the laws of different jurisdictions one often sees only the forest or the trees This is particularly problematic in comparative company law where students hope both to understand the overall framework of the law and grasp its practical application This text s structure now in its second edition solves that dilemma Chapters open with discursive analyses of the law in each of Germany the UK and the US Delaware the ABA Model Business Corporation Act and federal securities laws and set out the high level governing framework particularly for the EU and its member states This analysis is succinct and pointed with numerous references to both the law and leading scholarship The whole text is arranged to highlight comparative aspects Diagrams are used where helpful Chapters close with edited judicial decisions from at least two of the jurisdictions discussed which allows fresh exploration of comparison in more detail and pointed questions to guide class discussion **Series 24, General Securities Principal Exam** ,2006 Gives learners the courseware and tools they need to pass their exams the first time *Capital Structure and Corporate Governance* Lorenzo Sasso,2013-08-01 Despite a clear distinction in law between equity and debt the results of such a categorization can be misleading The growth of financial innovation in recent decades necessitates the allocation of control and cash flow rights in a way that diverges from the classic understanding Some of the financial instruments issued by companies so called hybrid instruments fall into a grey area between debt and equity forcing regulators to look beyond the legal form of an instrument to its practical substance This innovative study by emphasizing the agency relations and the property law claims embedded in the use of such unconventional instruments analyses and discusses the governance regulation of hybrids in a way that is primarily functional departing from more common approaches that focus on tax advantages and internal corporate control The author assesses the role of hybrid instruments in the modern company unveiling the costs and benefits of issuing these securities recognizing and categorizing the different problem fields in which hybrids play an important role and identifying legal and contracting solutions to governance and finance problems The full scale analysis compares the U K law dealing with hybrid instruments with the corresponding law of the most relevant U S jurisdictions in relation to company law The following issues among many others are raised decisions under uncertainty when the risks of opportunism of the parties is very high contract incompleteness and ex post conflicts protection of convertible bondholders in mergers and acquisitions and in assets disposal use of convertible bonds to reorganise and restructure a firm timing of the conversion and the issuer s call option majority minority conflict in venture capital financing duty of loyalty fiduciary duties to preference shareholders and financial contract design for controlling the board s power in exit events Throughout the analysis includes discussion comparison and evaluation of statutory provisions existing legal standards and strategies for protection It is unlikely that a more thorough or informative account exists of the complex regulatory problems created by hybrid financial instruments and of the different

ways in which regulatory regimes have responded to the problems they raise Because business parties in these jurisdictions have a lot of scope and a strong incentive to contract for their rights this book will also be of uncommon practical value to corporate counsel and financial regulators as well as to interested academics

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