



Patrick J. O'Malley

Partner

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Patrick O'Malley is a partner in the San Diego office focusing his practice on representing issuers and investment banks in capital markets transactions.

Patrick regularly advises clients listed on the NASDAQ Stock Market, NYSE and NYSE American, as well as international exchanges. Patrick principally represents established and emerging life sciences, biotech, medical device, and technology companies, providing guidance on a range of matters, including corporate governance, SEC periodic and current reporting, proxy statements, and related corporate and disclosure advice.

Patrick also represents both selling companies and acquirers in merger and acquisition transactions, primarily representing public clients and private clients merging into public shell companies. Patrick has advised numerous private companies in venture capital financing and corporate governance and Board of Director matters.

- Corporate

REPRESENTATIVE MATTERS

- Zeltiq Aesthetics (Nasdaq: ZLTQ) in its US\$105 million initial public offering
- Neothetics in its US\$65 million initial public offering and its sale to Evofem Biosciences
- Nexvet Biopharma (Nasdaq: NVET) in its US\$40 million initial public offering
- Sientra in its US\$115 million follow-on offering
- Halozyme Therapeutics, Inc. in numerous follow-on offerings
- GenMark Diagnostics (Nasdaq: GNMK) in its initial public offering and numerous follow-on offerings
- Maxwell Technologies in its follow-on offering and convertible note offering
- DragonWave (Nasdaq: DRWI; TSX: DRI) in numerous follow-on offerings
- Cytori Therapeutics (Nasdaq: CYTX) in numerous follow-on offerings and rights offering
- Mast Therapeutics, Inc. in its sale to Savara and in numerous follow-on offerings
- QUALCOMM Incorporated in numerous acquisitions, venture financings and other strategic transactions

- DTS in its US\$1.0 billion sale to Tessera Technologies, as well as numerous acquisitions
- NuVasive in its US\$650 million 2.25% Convertible Senior Note offering and numerous acquisitions
- P.F. Chang's China Bistro in its US\$1.1 billion sale to Centerbridge Partners
- The Active Network, Inc. in its US\$1.05 billion sale to Vista Equity Partners
- Life Technologies Corporation in various acquisitions, venture financings and other strategic transactions
- Reva Medical (ASX: RVA) in its convertible note offerings
- aTyr Pharma Inc. in its venture financings and other strategic transactions
- Epic Sciences, Inc. in its venture financings and other strategic transactions

CREDENTIALS

Admissions

- California

Prior Experience

- Judicial Extern to Honorable Marilyn Huff, Southern District of California

Education

- J.D., Georgetown University Law Center 2010
Member, *The Tax Lawyer*
- B.A., University of Notre Dame 2007

INSIGHTS

Publications

SEC streamlines and modernizes financial disclosure

1 December 2020

A detailed summary of the final rules.

California legislation and recent stockholder derivative suits push for more board diversity

7 October 2020

California's latest diversity law follows a new wave of shareholder derivative actions attacking the lack of racial diversity in corporate leadership.

NEWS

DLA Piper advises underwriters of MaxCyte's upsized US IPO

30 July 2021

DLA Piper represented Cowen and Company, LLC, Stifel, Nicolaus & Company, Incorporated and William Blair & Company, L.L.C., as underwriters in the initial US public offering of 13,500,000 shares of common stock of MaxCyte, Inc. (Nasdaq: MXCT) (LSE: MXCT, MXCN), a leading provider of cell-engineering platform technologies, at an initial offering price of US\$13.00 per share.

DLA Piper advises Cowen and Company, William Blair & Company, BTIG and Stephens Inc. as underwriters of Alpha Teknova IPO

12 July 2021

DLA Piper represented Cowen and Company, LLC, William Blair & Company, L.L.C., BTIG, LLC and Stephens Inc. as underwriters in the US\$110.4 million initial public offering of Alpha Teknova, Inc.

Three DLA Piper partners named to *The Deal* Top Rising Stars: Class of 2021 list

17 May 2021

DLA Piper is pleased to announce that Corporate partners Stephen Alicanti, Forrest Neal and Patrick O'Malley have been named to *The Deal* Top Rising Stars: Class of 2021 list highlighting "exemplary new M&A-focused partners at top US law firms."

DLA Piper advises SeaSpine Holdings Corporation in its US\$101 million public offering

5 May 2021

DLA Piper represented SeaSpine Holdings Corporation in its recent public offering of 5,175,000 shares of its common stock at a price of \$19.50 per share.

DLA Piper advises Akoya Biosciences in its US\$151 million initial public offering

3 May 2021

DLA Piper represented Akoya Biosciences, Inc. (Nasdaq: AKYA) in its recent initial public offering of 7,567,000 shares of its common stock at a price of \$20 per share, including the exercise of the underwriters' option to purchase 987,000 shares of common stock, less underwriting discounts and commissions.

DLA Piper advises William Blair & Company and RBC Capital Markets as joint book-running managers in OptimizeRx Corporation's US\$75.5 million underwritten public offering

2 March 2021

DLA Piper represented William Blair & Company, LLC and RBC Capital Markets, LLC as joint book-running managers in connection with an underwritten public offering of 1,523,750 shares of common stock of OptimizeRx Corporation at a price to the public of US\$49.50 per share.

DLA Piper advises ON24 in its US\$428 million IPO

3 February 2021

DLA Piper represented ON24 Inc. (NYSE: ONTF) in its initial public offering of 8,560,930 shares of common stock at a price to the public of \$50 per share.

DLA Piper advises Histogen in its US\$14 million upsized public offering

6 January 2021

DLA Piper advised Histogen, Inc., in its public offering of 11,600,000 shares of common stock, pre-funded warrants to purchase up to 2,400,000 shares of common stock and warrants to purchase up to an aggregate of 14,000,000 shares of common stock at a price of US\$1.00 per share.

DLA Piper acted for Charlotte's Web in its acquisition of Abacus Health

11 JUN 2020

On June 11, 2020, Charlotte's Web Holdings, Inc. and Abacus Health Products, Inc. announced the completion of their previously-announced arrangement. Under the terms of the Arrangement, Charlotte's Web acquired all of the issued and outstanding shares of Abacus. DLA Piper was pleased to have acted for Charlotte's Web on this transaction.
