

### PHASE 1

#### Planning and approach

- Bidder formulates transaction structure and identifies technical issues
- Bidder makes non-binding indicative offer to Target
- Negotiate Confidentiality Agreement

### PHASE 2

#### Due diligence:

- Bidder conducts due diligence on Target
- Target conducts due diligence on Bidder (where bid consideration includes scrip)

### PHASE 3

#### Transaction documents:

- Negotiate Bid Implementation Agreement
- Bidder negotiates any support statements from major securityholders
- Draft announcement of offer

### PHASE 4

#### Pre offer period:

- Bidder drafts and verifies Bidder's Statement
- Bidder applies for regulatory approvals
- Apply for ASIC relief and ASX waivers
- Bidder drafts first substantial holder notice

### PHASE 5

#### Offer period:

- Announce open of offer
- Despatch Bidder's Statement to Target securityholders
- Monitor developments and determine strategy, particularly re conditions, any price increases and offer period extensions / offer close date
- Solicit acceptances of bid
- Bidder reviews and comments on Target's Statement and Independent Expert Report
- Target despatches Target's Statement and IER to Target securityholders
- Make supplementary disclosures if required

### PHASE 6

#### Post offer period:

- Start compulsory acquisition process once 90% is reached
- Effect 'handover' of control of Target to Bidder
- Delist Target from ASX

# Tender Takeover 343

**Joan Smith**



## **Tender Takeover 343:**

*Takeover Tactics and Public Policy* United States. Congress. House. Committee on Energy and Commerce. Subcommittee on Telecommunications, Consumer Protection, and Finance, 1984      Knights, Raiders, and Targets John C. Coffee, 1988

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    *Headed for Trouble* Joan Smith, 1993      **Maybe Next Time** Joan Smith, 1989      *Can't Buy Me Love* Joan Smith, 1993-04  
    *Sealed with a Kiss* Joan Smith, 1990      John Loves Sally Joan Smith, 1993-07      **Getting to Know You** Joan Smith, 1992  
    *By Hook Or by Crook* Joan Smith, 1988      For Richer, for Poorer Joan Smith, 1991-12-02      *Mergers, Acquisitions, and Other Restructuring Activities* Donald DePamphilis, 2011-09-30 Two strengths distinguish this textbook from others One is its

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Advances in Mergers and Acquisitions Sydney Finkelstein, Cary L. Cooper, 2020-11-30 This volume explores a range of issues that include mergers waves roll up acquisitions hostile takeovers M A experience and decision making corporate governance and innovation in mergers and acquisitions

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