

### 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

**Donald DePamphilis**



## **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

presentation of subjects in the contexts where they occur Students see different perspectives on subjects and learn how complex and dynamic the mergers and acquisitions environment is The other is its use of current events Of its 72 case studies 34 are new or have been updated The implications of Dodd Frank and US Supreme Court rulings affecting the Sarbanes Oxley Act among other regulatory changes are developed to enhance teaching and learning experiences Other improvements to the 6th edition have shortened and simplified chapters increased the numbers and types of pedagogical supplements and expanded the international appeal of examples With a renewed focus on empirical and quantitative examples the 6th edition continues to demonstrate how people work together on mergers and acquisitions and why the actions of specific individuals have far reaching implications Presents an integrated approach to the activities involved in mergers acquisitions business alliances and corporate restructurings All chapters have been revised updated and contain new content and 14 include more extensive changes Structural revisions make chapters more streamlined shorter and less complex Case studies cover a dozen industries and 75% are new or have been updated All include discussion questions and answers

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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