



## Mark C. Kanaly

Partner

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### *Related Services*

Corporate & Finance ■ Mergers & Acquisitions ■ Capital Markets & Securities ■ Financial Services ■  
Financial Services - Mergers & Acquisitions ■ Blockchain & Digital Assets

Mark Kanaly is co-chair of Alston & Bird's Corporate Area, which includes its Corporate & Securities, Finance, Financial Services, Health Care, and Real Estate groups. Previously, Mark served as chair of the firm's Partners Committee and chair of the firm's Financial Services & Products Group. He represents corporate clients, with a focus on players in the financial services arena. Mark assists these companies with mergers and acquisitions, IPOs, public and private capital raising transactions, corporate governance, and a host of related regulatory matters.

Throughout the economic cycle, Mark has worked on some of the most innovative and recognized transactions in the country. Additionally, he regularly counsels boards of directors regarding strategic planning, regulatory entanglements, and internal corporate governance matters.

Mark is a nationally recognized speaker on various corporate topics, and his comments are regularly covered in the business press. Mark is listed as a leading attorney for Banking & Finance: Regulatory in *Chambers USA: America's Leading Lawyers for Business* and for both Banking & Finance and Corporate Law in *The Best Lawyers in America*®, as well as being listed as Atlanta "Lawyer of the Year" for his work in Securities/Capital Markets Law for 2022.

### *Representative Experience*

- Counsel to Duke Realty Corporation (NYSE: DRE) in its \$26 billion acquisition by Prologis (NYSE: PLD). This was the largest REIT merger transaction of 2022.
- Counsel to Franklin Financial Network (NYSE: FSB) in its \$611 million merger with FB Financial Corporation (NYSE: FBK).
- Counsel to The First Bancshares, Inc. (NASDAQ: FBMS) in its \$210 million merger with Heritage Southeast Bancorporation, Inc. (OTCQX: HSBI).
- Counsel to Synovus Financial Corp. (NYSE: SNV) in its \$2.9 billion acquisition of FCB Financial Holdings, Inc. (NYSE: FCB), as well as in its \$150 million tender offer in respect of outstanding subordinated debt.
- Counsel to Invesco Mortgage Capital, Inc. (NYSE: IVR) in its public offerings of common stock, preferred stock, and debt securities totaling more than \$5 billion.
- Counsel to the Federal Home Loan Bank of Atlanta in its SEC registration and reporting.
- Counsel to each of FB Financial Corporation (NYSE: FBK), BankFirst Corporation (NASDAQ: BFC), and MetroCity Bankshares, Inc. (NASDAQ: MCBS) in their initial public offerings (IPOs), as well as underwriters' counsel in C1 Financial, Inc.'s (NYSE: BNK) IPO.

- Counsel to SmartFinancial, Inc. (NASDAQ: SMBK) in its acquisition of Progressive Financial Group, Inc.
- Counsel to NexTier, Inc. in its acquisition of Mars Bancorp, Inc. (OTCQX: MNBP).

## ***Publications & Presentations***

### ***Publications***

- “9 Ways To Do Executive Sessions Right,” *Bank Director*, August 16, 2023.
- “Six Tips for Negotiating a Successful M&A Transaction,” *BankDirector.com*, November 11, 2016.
- “What You Don’t Know Can Hurt You: 10 Things to Watch When You’re on a Bank Board,” *BankDirector.com*, August 8, 2014.

### ***Presentations***

- “2023 Banking and Regulatory Trends that Will Impact 2024,” panelist, 2023 JAM FIN TOP Summit, Nashville, TN, November 3, 2023.
- “Structuring Bank Mergers and Acquisitions: Overcoming Capital Requirement Hurdles and Other Regulatory Demands,” webinar, January 13, 2022.

### ***Education***

- University of Oklahoma (J.D., 1996)
- University of Pennsylvania (B.S.E., 1993)

### ***Admitted to Practice***

- Georgia
- Texas (Not Admitted)