

Snell & Wilmer



Kenneth Ashton

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Main Bio

Ken Ashton advises start-up, emerging growth, and mature companies in a variety of business transactions.

Representative Transactions

Significant Experience

- Representing private equity funds, and public and private companies in merger and acquisition transactions and joint ventures, including transactions involving industrial manufacturing, telecommunications, energy, and commercial retail
- Advising various companies in private placement transactions and in federal and state securities laws
- Assisting start-up and mature companies in entity formation and corporate/organizational governance, including limited liability companies and partnerships
- Representing various clients in the negotiation and preparation of various types of commercial contracts, including agreements for supply/distribution, technology license, outsourcing service contracts, and other general commercial agreements
- Advising various commercial banks and private lenders in secured lending transactions and corporate financings
- Assisting in preparing and negotiating buy-sell agreements, structuring management or equity buy-outs, and resolving shareholder/management disputes
- Advising in the formation, organization, and governance of non-profit organizations and related matters

Selected Recent Transactions

- Counsel to seller and purchasers in the transfer of ski resorts (outside and inside Utah)
- Counsel to private investment company in the restructuring, reorganization, and sale of certain portfolio investments (commercial and real estate)
- Counsel to a minority equity holder in its purchase of a controlling interest in a golf course enterprise
- Counsel to a minority equity holder in its purchase of a controlling interest in a private vocational school
- Counsel to private fund in various acquisition of equipment leasing companies
- Counsel to national ski resort operator in recent bank lending and operational matters

- Counsel to purchaser in recent \$90 million asset acquisition of an industry competitor
- Counsel to a Utah-based agriculture company in the sale of its business to an industry competitor
- Counsel to local CBD-based company in the sale by its stockholders to a new equity buyer
- Counsel to grocery store operator in various strategic acquisitions
- Counsel to leading manufacturer and supplier of wheel component parts in a variety of joint venture, development agreements, and other commercial transactions, including in the acquisition of an industry competitor and divestiture of non-core business
- Counsel to management group in compensation/equity roll-over in the sale of a Utah-based manufacturing company to private equity buyer
- Counsel to a public company in the sale of its farm equipment division to a strategic buyer
- Counsel to commercial retailer in the partial divestiture of its business to an industry competitor
- Counsel to a private equity investor of its acquisition of a specialty metals company
- Counsel to stockholders in their sale of equity interest in a colocation business to an industry competitor
- Counsel to first aid supply company in the sale of its business to an international conglomerate

Education

- University of Texas (J.D., 2001)
- University of Utah (B.A., Economics, Business minor, cum laude, 1998)

Languages

- Portuguese

Professional Memberships & Activities

- State Bar of Utah
 - Business Section, Chair (2015-2016)
- American Bar Association
- Snell & Wilmer Legal Opinion Committee, Member

Representative Presentations & Publications

- "Professionalism & Civility for Transactional Attorneys," Co-Presenter, Utah State Bar Summer Convention, Utah Bar Section of General Counsel (2018)
- "Legal Entities," Presenter, Utah Association of Professional Landmen Meeting (April 2014)
- "[Broker-Dealer: Never Make Registration Decisions Based on Assumptions](#)," Contributor, VC Experts (October 24, 2013)
- "Mid-Career Crisis or Success? The Business Lawyer's Essential Toolkit Part 2," Co-Presenter, Utah Bar Convention (July 18, 2013)
- Author and proponent of various amendments and modifications to Utah entity statutes

Professional Recognition & Awards

- The Best Lawyers in America®, Corporate Law (2020-2023); Corporate Governance Law (2021-2023), Business Organizations (including LLCs and Partnerships) (2023)
- Utah State Bar Business Law Section, Practitioner of the Year (2019)
- Utah Legal Elite: Corporate Law and Transactions, Utah Business Magazine (2016)
 - Up and Coming (2012)
- Utah State Bar Business Section Leadership (2012-2016)

Previous Professional Experience

- Simpson Thacher & Bartlett, Associate (2001-2004)

Bar Admissions

- New York
- Utah

Court Admissions

- Supreme Court of New York
- Supreme Court of Utah