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M&O PARTNER CHARLES McCORMICK ADDRESSES NATIONAL FINANCING CONFERENCE

New York, NY, June 15, 2008

M&O Partner Charles F. McCormick recently completed a speaking engagement as a member of a panel entitled “Investments: Deal Sourcing, Negotiation and Due Diligence.” The panel was part of the M&A Advisor’s Annual Middle Market Financing Conference and Financing Awards Gala held on June 9 at the Drake Hotel in Chicago, Illinois. The conference included over 200 finance industry professionals.

Participating with Mr. McCormick on the panel were Christian Zabbal, a partner with ghSmart in Montreal, Canada, Ken Naglewski, a Managing Director of Focus Management Group in Brentwood, Tennessee, Connor Searcy, a Partner with Insight Equity in Southlake, Texas and David H. Lawrence, the President of CM Holtzinger Fruit co., LLC in Yakima, Washington. Panel moderator Robert J. Strang, the CEO of Investigative Management Group, based in New York City, led an interactive session between the panel and the audience.

Regarding deal sourcing, the panel was in general agreement that the overwhelming majority of middle market transactions were intermediated. “I am not trying to give deal intermediaries free advertising,” Mr. McCormick noted, “but the reality is that most deals come to funds and corporate development departments through sell side intermediaries.”

Regarding deal negotiation and due diligence, Mr. McCormick told the audience that careful due diligence can give acquirors a competitive advantage for quality companies that may have encountered stumbling blocks. cursory due diligence will often identify problems, such as a pending lawsuit or environmental issue. The key is to analyze those problems and understand what the real exposure is. Doing so will create opportunities, because less informed bidders and buyers who focus solely on the problems will be scared away, leaving well informed bidders an opportunity to acquire quality assets with discrete and definable liabilities at a discount”

Mr. McCormick left the audience with three “take-aways.” “First, coordination is key. Any good process requires input from independent groups of lawyers, accountants, bankers and management and HR consultants. If these groups do their work in a vacuum, and don’t communicate with each other, you will lose the ability to really put together the big picture. Second, don’t due your due diligence through the representations and warranties in the acquisition agreement. It’s great to have legal remedies if the seller has committed a breach, but I would much rather not have the problem in the first place. Finally, don’t rely on non-lawyers review legal documents. Contracts are business documents, but they are also legal documents. We get a lot of

last-minute issues because no one really focused on the termination clause or the change of control clause or the assignment clause in a key agreement.”

About McCormick & O’Brien, LLP

McCormick & O’Brien, LLP, is a New York City-based law firm whose professionals are dedicated to providing the highest quality legal services to our clients. Our lawyers provide practical business solutions to our clients’ most complex, mission-critical legal problems. Our professionals combine top law school credentials and large law firm experience with an entrepreneurial spirit and common sense.

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