

Bankruptcy and Creditor's Rights Law

We assist our creditor clients and other business entities and individuals in all aspects of bankruptcy and pre-bankruptcy proceedings, including workouts, restructurings, bankruptcy filings, involuntary bankruptcy filings, receivership appointments, and foreclosures. We advise secured creditors in negotiating and closing transactions involving the creditors' collateral, such as Section 363 sales and sales under a plan of reorganization. We assist creditor clients with relief from stay proceedings to repossess collateral. We represent secured creditors in litigation regarding secured status and value of collateral. We have significant experience regarding loan workouts and modifications, restructurings, forbearance agreements, bankruptcy alternatives, capital infusions, and alternatives for obligations in all stages of distress. We also represent creditors and other individuals and entities who have been targeted with adversary proceedings to recover preferential transfers, fraudulent transfers and to avoid other types of transactions. We regularly represent buyers of defaulted or distressed loans in bankruptcy court proceedings, receiverships, assignment for the benefit of creditors, and other litigation. We have been involved in the restructuring of all types of real estate loans, including commercial mortgage loans, construction loans, bridge loans, and mezzanine loans. Uniquely, we also counsel creditors and other parties on pre-bankruptcy planning from the creditor's perspective; specifically, how to structure and document transactions with an eye to protecting the rights and remedies of parties when one or more other parties to the transaction become insolvent and/or find themselves in bankruptcy.