



**Bankruptcy, Workouts & Creditors' Rights**

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Rights*

STRADLEY  
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RONON

## Overview

Workout and insolvency matters, with a unique set of rules and many parties with conflicting interests, are particularly challenging for clients. When financially distressed businesses and individuals fail to fulfill their obligations, lenders and other creditors need attorneys who can help them maximize their returns on distressed debt and resolve otherwise troubled situations.



Stradley Ronon's highly regarded bankruptcy, workouts and creditors' rights practice assists clients in dealing with financially distressed entities and financial products, troubled credit, defaulted loans and bond debt, helping them optimize recoveries and devise strategies to resolve troubled situations. We focus largely on representing creditors of all types and sizes, with an emphasis on financial institutions, institutional investors and funds.

Working closely with members of our finance and restructuring and litigation practice groups, we structure and restructure transactions to address lien perfection and priority, fraudulent conveyance risk and intercreditor and subordination issues, as well as represent our clients' interests in bankruptcy, insolvency and liquidation proceedings throughout the country.

Stradley Ronon attorneys have all levels of experience, which enables

us to appropriately staff matters and deliver the highest-quality service within our clients' budgets.

### Stradley Ronon's Experienced Team

Our interdisciplinary team is composed of bankruptcy, litigation and transactional lawyers who help clients implement practical and effective recovery strategies. With depth and breadth of experience, we understand the various interests and perspectives of the parties, enabling us to advise on and smoothly navigate the competing interests of the many participants in bankruptcy reorganization, insolvency and liquidation matters.

Stradley Ronon attorneys are skilled at handling the full range of out-of-court restructurings and workouts, receiverships, loan sales, and asset and entity dispositions and liquidations. With extensive experience in creditors' rights litigation, we manage all aspects of in-court bankruptcy and other

insolvency proceedings, including pursuing monetary judgments, collection and enforcement, foreclosures, receivership appointments and other remedies. Listening closely to our clients, we gain an understanding of their needs and offer practical, efficient solutions. We pride ourselves on working as a team with our clients, taking great satisfaction in helping them maximize their return on distressed debt or otherwise troubled situations.

Our lawyers advise on a variety of financing structures, including: asset-based loans; real estate loans; corporate, commercial and industrial loans; subordinated debt; equity investments; bond structures; securities; commodities; and derivatives. Experienced across many industries, we provide guidance to clients in the health care, energy, manufacturing, real estate, contracting, hospitality, telecommunications, equipment

supply, retail and wholesale sectors, among others.

### Meeting Our Clients' Needs

We routinely advise and represent traditional regional and national banks and lenders, commercial finance companies, second, junior and mezzanine lenders, investment management companies, mutual funds, hedge funds, distressed debt purchasers, parties interested in purchasing assets through bankruptcy and receivership proceedings, insurance and surety companies and federal and state court receivers, among others, on the following:

- Financing in connection with insolvency proceedings, including debtor-in-possession financing, the use of cash collateral and exit financing pursuant to a confirmed plan of reorganization.
- Issues associated with securities contracts, commodities or forward contracts, repurchase agreements, and swap and other derivative contracts in bankruptcy and other insolvency proceedings.
- Claims arising in connection with bankruptcy and insolvency proceedings, such as lien scope and priority challenges, preferential transfers, fraudulent conveyances,

and setoff and unauthorized post-petition transfer claims, as well as equitable subordination, marshalling of assets, reclamation, breach of the covenant of good faith and fair dealing, and other types of "lender liability" claims.

- Motions for relief from the automatic stay.
- Obtaining judgments through confession of judgment and by lawsuit, and executing on all types of assets in satisfaction of judgments, as well as handling discovery in aid of execution.
- Bankruptcy alternatives, including the appointment of receivers to operate or wind down a business or

manage specific assets, including real estate, failed hedge funds, office buildings, hotels, restaurants, apartment buildings, condominiums and mobile home parks.

- Real estate and personal property sales and foreclosures.

Moreover, we have advised clients on issues related to disclosure statements and plans of reorganization, and have advised both senior and junior lenders regarding rights and remedies concerning intercreditor, agency, loan syndication, subordination and participation agreements.

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# RECOGNIZED LEADERS



The Stradley Ronon bankruptcy, workouts and creditors' rights practice has been recognized as a leader in Pennsylvania Bankruptcy and Restructuring by **Chambers USA**, which noted our depth and breadth of experience and mentioned that we are "sought out by creditors." Several of our attorneys are regularly named *Best Lawyers in America* and *Pennsylvania Super Lawyers*. Our group also includes an American Board of Certification – certified expert in Chapter 11 business bankruptcy, a member of the Litigation Counsel of America's Trial Lawyer Honorary Society and several partners with more than 30 years of bankruptcy-related experience.

