

Practice Contact

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Asset Purchases and Sales

A bankruptcy filing often is the first step in a series of asset sales proceedings. The asset sales and purchase process offers many opportunities for both strategic and financial purchasers. Our lawyers have represented initial bidders, including both so-called “stalking horse” bidders and competing bidders, at private and public auctions. We are experienced in negotiating purchase and sale documents, as well as sales procedure motions and orders that dictate the ground rules for the sale process. The breadth of our firm’s capabilities in the commercial, corporate, real estate, environmental, and tax areas means that we can provide our clients with whatever experience is required by the particular purchase or sale transaction.

We also represent debtors seeking to sell assets. In that capacity, we have dealt with investment bankers and others retained to assist in the sales and marketing effort, documented sales contracts and auction and bid procedures that undergo Court review, and established data rooms and other protocols to facilitate the sales process. Our representation of creditors’ committees has included scrutiny of asset sale efforts and other procedures in order to insure that the interests of unsecured creditors are protected.