

Practice Contact

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Secured Creditor and Lender Representation

Our attorneys have extensive experience in representing secured creditors and lenders. Because we also represent debtors, creditors' committees, trustees, receivers, and examiners, our attorneys are familiar with the full range of issues that secured creditors and lenders may face. Our lawyers have experience in the procedural and litigation complexities inherent in the representation of secured creditors and lenders, but also maintain a practical view that focuses on recovering the most value at the least cost. We look for creative opportunities to resolve conflicts that may otherwise make recovery more difficult or expensive. If litigation is required to fully protect our clients' interests, our lawyers have decades of experience in achieving superior results in court.

We recognize that it is the agile secured creditor or lender who is best protected, and we stand ready to respond rapidly to even the most complex matters. Our lawyers will take full advantage of computer technology and other available tools to enhance the prospects for a prompt recovery.

We have successfully handled the following matters, among others:

- Proofs of claim
- Cash collateral orders
- Budgets and restrictions on debtors' use of cash
- Adequate protection of creditors' collateral
- Relief from stay to repossess collateral
- Sales by the DIP of creditors' collateral
- True leases and secured transactions
- DIP credit facilities
- Inter-creditor agreements among competing secured creditors
- Post-confirmation credit facilities

(Secured Creditor and Lender Representation Continued)

- Defense of secured creditors against attacks upon creditors' secured status or the value of their collateral
- Defense of secured creditors against preference attacks in conjunction with the claim of being "under-secured"
- Defense of secured creditors against fraudulent transfer claims
- Defense of secured creditors against other asserted claims (such as deepening insolvency, lenders' liability, or conspiracy)