

# Creditors' Rights and Bankruptcy

## OVERVIEW

The partners in our Creditors' Rights and Bankruptcy group have years of experience in this complex, multi-disciplinary practice area. We represent clients in corporate reorganizations and other bankruptcy matters, loan workouts and restructurings, commercial foreclosures, receiverships and a wide variety of debtor-creditor disputes in federal and state courts.

We have been recognized by ranking organizations, such as *Chambers & Partners*, *Best Lawyers in America*®, *Florida Trend* and *Super Lawyers*. Our attorneys also participate in the professional organizations and legal committees that shape and influence this practice area and frequently speak and write on creditors' rights, insolvency and bankruptcy issues.

Bankruptcy, insolvency and debtor-creditor matters often require corporate, banking, tax and real estate expertise. We often implement a team approach through the involvement of professionals in other practice areas of the firm to offer a full range of comprehensive and cost-effective legal services.

## OUR CLIENTS

We represent lenders, unsecured creditors, investors, trustees, receivers and others in a broad range of industries. Our national and international clients include:

- State, national and international lending institutions
- State, national and international banks
- Large, medium-sized and boutique investment firms
- Securitization trustees, asset managers and servicers
- Insurance companies
- Securities brokers and dealers
- Public and private corporations
- Real property owners, developers and investors
- Secured and unsecured creditors
- Creditors committees

- Bankruptcy trustees and receivers

Many of our clients have entrusted our lawyers for decades with their most significant Florida matters arising in the creditors' rights area. We strive to produce results that will make every client a long-term client.

## **EXPERIENCE**

### **Creditors' Rights Litigation**

Disputes invariably arise in this complex area, often culminating in litigation. If a trial becomes necessary, many of our partners and senior attorneys are seasoned trial attorneys who have a proven track record in trying complex matters in state, federal and bankruptcy courts throughout Florida.

Our litigators frequently handle:

- lender liability actions
- contested commercial foreclosures
- avoidance actions in bankruptcy
- non-discharge actions in bankruptcy
- fraudulent transfer actions
- title and lien priority disputes
- disputes arising in assignments for the benefit of creditors
- disputes arising in corporate and real estate receiverships
- pre-judgment and post-judgment remedies
- judgment collection and execution
- multi-district and international insolvency disputes

### **Loan Workouts and Restructuring**

Our attorneys advise clients on:

- loan modifications
- asset and debt restructurings
- Chapter 11 reorganizations
- bankruptcy sales
- corporate and partnership restructurings
- capital investment
- refinancings
- out of court settlements

- asset disposition strategies

## **Bankruptcy**

We represent secured and unsecured creditors, creditor committees and trustees in Chapter 7 and 11 bankruptcies. Matters we typically handle include:

- plans of reorganization
- debtor-in-possession financing agreements
- cash collateral orders
- stay relief litigation
- avoidance actions (including preference and fraudulent transfer actions)
- contested confirmation hearings
- claims objections litigation
- non-discharge litigation
- issues concerning unexpired leases and executory contracts

## **OUR COMMITMENT**

We understand the importance of being responsive to our clients and are dedicated to working closely with you to develop effective and creative strategies for achieving your objectives in the most effective and efficient manner possible.