Duane Morris’ Business Reorganization and Financial Restructuring attorneys draw upon decades of experience and versatility as business advisers across every major industry. They create the strategies necessary to derive maximum corporate value under what are often very difficult and rapidly changing circumstances. In addition to representing the full range of parties in interest including creditors, committees and trustees, the attorneys in the practice offer the unique perspective gained from representing commercial debtors in both in-court and out-of-court restructurings. The practice is recognized as one of the most active in the United States.

Members of the group also regularly assist banks, nonbank lenders, special servicers, debt purchasers and trustees across a wide range of commercial finance matters—from the disposition of distressed assets to individual secured and unsecured commercial loans of all sizes, syndicated loan transactions, agented multilender transactions, real estate acquisition and construction loans and securitizations of virtually every type.

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ACCOLADES

U.S. News-Best Lawyers 2023 recognized the firm with TOP-TIER NATIONAL RANKINGS in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation - Bankruptcy.

The Chambers USA 2023 survey of the American legal profession cites DUANE MORRIS’ BANKRUPTCY PRACTICE and singles out its attorneys for their knowledge and experience. Chambers writes that the team is known for its “[d]istinguished practice handling high-profile Chapter 11 bankruptcy proceedings and major restructurings. Practitioners have considerable experience in cross-jurisdictional insolvency work and creditors’ rights matters.” Clients report: “They are well prepared and timely. They provide excellent practical advice in a very complex area of the law.” “Their knowledge of bankruptcy and security law is beyond reproach.” “They have a deep bench with lots of strong bankruptcy attorneys.” “It’s a brilliant firm with brilliant lawyers.”


RANGE OF SERVICES
> ASSET DISPOSITION
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> CREDITORS’ RIGHTS AND ADVISORY SERVICES
> CROSS-BORDER AND MULTINATIONAL INSOLVENCIES
> FINANCING AND FINANCIAL RESTRUCTURING TRANSACTIONS
REPRESENTATIVE MATTERS

- Representation of banks as lenders and credit support providers involving more than $500 MILLION in secured bond and loan instruments issued by continuing care retirement communities, nursing homes, hospitals, and other healthcare and senior-care facilities.

- Representation of special servicers in pursuit of remedies in more than $2 BILLION of commercial mortgage real estate loans, including foreclosure proceedings in over 30 states, deeds in lieu of foreclosure and bankruptcy proceedings.

- Represented POLICE OFFICERS ASSOCIATIONS as creditors in connection with the Chapter 9 bankruptcy proceedings of San Bernardino and Vallejo, California.

- Representation of PENN STATE UNIVERSITY in connection with the Greater Erie Industrial Development Corporation bankruptcy.

- Obtained on behalf of KEPPEL SHIPYARD LIMITED a dismissal based on lack of personal jurisdiction in an adversary proceeding in the U.S. Bankruptcy Court for the Southern District of Texas where the trustee of the MPF Litigation Trust sought to obtain a judgment of more than $4.5 million.

- Representation of RIH Acquisitions NJ, LLC, which owns and trades as the ATLANTIC CLUB CASINO HOTEL, as special counsel for gaming regulatory matters in the casino operator’s Chapter 11 bankruptcy proceedings.

- Representation of the OFFICIAL COMMITTEE OF UNSECURED CREDITORS in cases involving $500 million or more in debt, including In re Orleans Homebuilders’, Inc. and In re Trico Steel Company, LLC.

- Represented secured creditor in contested confirmation hearings in Bankruptcy Court regarding a $16 MILLION LOAN for a retail shopping center in Nevada. Negotiated favorable workout to include confirmation of competing Chapter 11 plan of reorganization.

- Represented JCG Foods, an affiliate of KOCH FOODS, in winning an auction in connection with an $80 million sale under section 363 of the Bankruptcy Code, obtaining Bankruptcy Court approval of the sale and entering into an asset purchase agreement.

- Represented CrossHarbor, Boyne USA and Big Sky Resort in the acquisition of the SPANISH PEAKS SKI RESORT in sale proceedings in the Montana Bankruptcy Court.

- Representation of an affiliate of SLEEPY'S LLC in its winning bid to acquire 100 percent of the membership interests in Mattress Discounters Group, LLC, an 80-store mattress chain in Virginia, for $11.9 million.

- Co-counsel to NATIONAL ASSOCIATION OF BANKRUPTCY TRUSTEES as amicus curiae in a case addressing constitutional limitations on the use of the judicial power of the United States by Article I bankruptcy courts.

- Represented banks and lending institutions in connection with a variety of borrower defaults and related enforcement, forbearance and restructuring matters and state court receivership proceedings.

- Represented SANTANDER BANK, N.A., KBC BANK, N.V. and NATIONAL CONSUMER BANK as lenders to Collington Episcopal Life Care Community, Inc., an entity that owns a continuing care retirement community in Maryland, in litigation concerning a defaulted loan.

- Counsel to debtor-in-possession financing lender in the Chapter 11 bankruptcy reorganization of a large regional construction company.

- Representation of the senior secured lender in the Chapter 11 bankruptcy proceedings of failed casino developer PHILADELPHIA ENTERTAINMENT AND DEVELOPMENT PARTNERS, L.P.

FOR MORE INFORMATION, PLEASE CONTACT:

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