



## **BANKRUPTCY, CREDITORS' RIGHTS & BUSINESS RESTRUCTURING**

Our Bankruptcy, Creditors' Rights & Business Restructuring Group offers highly specialized knowledge and substantial years of experience. Our Group includes two bankruptcy court clerks who clerked for bankruptcy court judges in this district, two attorneys who are former Certified Public Accountants, and two attorneys who each average 40 years of experience practicing in bankruptcy and creditors rights matters. We have learned that a practical approach to bankruptcy and creditors' rights representation is most effective, given the costs and risks of litigation, as well as the value of a speedy resolution.

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### **AREAS OF CONCENTRATION**

- Lender Representation
- Creditor Representation
- Loan Workouts, Restructuring and Enforcement
- Bankruptcy Litigation
- Commercial Receiverships
- Foreclosures of Real and Personal Property
- Debtor Local Counsel Representation
- Unsecured Creditors' Committee Representation
- Trustee Representation
- Corporate Restructuring
- State Court Creditors' Rights Litigation
- Filing and Enforcement of Mechanics' Liens

### **WHO WE ARE**

Our attorneys have overlapping experience in many matters arising under the United States Bankruptcy Code, Uniform Commercial Code and state laws governing real and personal property. Our group includes both litigators and transactional attorneys dedicated to advising and assisting parties seeking to enforce or establish rights against financially troubled companies and individuals or restructure their finances. Our lawyers have varying levels of experience, many of whom are well known experts in this field. Our lawyers have been recognized in Best Lawyers of America, Virginia Legal Elite and Virginia Super Lawyers.

We offer a full range of services to both creditors as well as companies and high net worth individuals in financial distress. Creditors seeking to protect and enforce their rights and remedies and debtors experiencing financial difficulty need an expert to guide them through the legal mazes they face. As a full service firm, our Group also has access to legal specialists in other areas of the law to provide guidance. For example, we are able to address complex tax and ERISA issues, labor, employee benefits and real estate issues.

## WHAT WE DO

Money is the cause of an infinite number of disputes. Successfully concluding these disputes requires an aggressive, persistent and resourceful representative.

Whether it's a debtor facing financial ruin because of the economic downturn or a lender with mounting non-performing loans, a solution begins with the selection of experienced professionals who can assess the needs and provide thoughtful, proven solutions. Our group, and the professionals with whom we work, can provide these services.

For lenders, we have extraordinary depth and experience in the making, administration and enforcement of secured and unsecured credit facilities. We provide lenders with workout and restructure solutions for a range of loans from the simple term loan with real and/or personal property collateral to complex securitized transactions. When necessary, we orchestrate foreclosures of the collateral, whether real or personal property.

For debtors, a multidisciplinary team of lawyers addresses each of the business entity's needs as it navigates its way through these uncertain economic times. In addition to experienced business bankruptcy lawyers, we are able to call upon our tax, employment, benefits, environmental and commercial lawyers to address the needs of the ailing enterprise. Unlike a boutique bankruptcy practice, our group can comprehensively address the debtor's needs.

We also have experience representing committees, trustees and receivers.

The extensive experience of our litigation department in pursuing creditors' rights strengthens our firm's ability to provide strategic advice concerning the structure and implementation of major loan restructurings and workouts. We offer working knowledge of the latest developments and techniques as well as current and practical knowledge of the national and international environment in which they are applied.

## OUR TRACK RECORD

Our practice extends to representation in bankruptcy litigation, including contested preference, fraudulent conveyance and lender claims, contested proceedings and the use of cash collateral, and contested plan confirmation proceedings. We have the depth necessary to address bankruptcy issues in business transactions and litigation. Our full range of services includes counseling debtors and creditors, commercial litigation, creditors' rights issues, including Article 9 concerns, commercial collections, attachments, and mechanics' lien enforcement.

## REPRESENTATIVE MATTERS

- Local counsel for a national retailer's Unsecured Creditors' Committee
- Counsel for the Chapter 11 Trustee in a major auto finance company case
- Local counsel for a subsidiary of a large retailer and for a professional athlete in his Chapter 11 case
- Counsel for regional banks in real estate finance loan workouts, foreclosures and bankruptcies
- Receiver for a major a computer sales company
- Representation of CMBS Servicers in receivership matters
- Counsel for a financial corporation in creditors' rights matters in state courts, federal courts and bankruptcy courts
- Provide collection and bankruptcy representation to various automotive dealers and lenders