

When clients need responses to unexpected bankruptcy filings, the ability to retrieve and liquidate collateral calls for focused attorneys with the knowledge of bankruptcy and other insolvency laws, creditor remedies and debt restructuring techniques to seek repayment of debt and the recovery of collateral.

Attorneys in the Bankruptcy & Creditors' Rights Group work with a diverse set of clients on matters including business bankruptcy, insolvency issues, commercial litigation, enforcement actions and financial restructuring. They also represent clients in commercial bankruptcy cases and non-bankruptcy workouts, loan restructurings and enforcement actions.

Our attorneys have substantial experience representing stalking horse bidders and other purchasers of assets from distressed entities, bankruptcy committees, guarantors, shareholders and debtor-in-possession financiers in connection with complex reorganization, restructuring, liquidation cases and business lawsuits. The breadth of the group's experience in the bankruptcy and insolvency arenas, as well as within the realm of commercial litigation, means clients receive counsel that is legally sound and makes business sense. Group attorneys represent clients before various state and federal district courts, as well as in bankruptcy courts throughout the United States, including those located in Delaware, Southern District of New York, Georgia and Tennessee.

The Group has experience representing all types of stakeholders, including:

- Secured and unsecured creditors
- Trade vendors
- Banks
- Bondholders
- Loan Servicers
- Investment Trusts
- Landlords
- Trustees and Receivers

Our group writes and speaks before insolvency professionals and specialized industry groups as well as to individual clients. We are members of industry organizations including the American Bankruptcy Institute, the Turnaround Management Association and the insolvency sections of the Tennessee and Georgia Bar Associations.

SELECTED EXPERIENCE

- Representation of financial institutions in all stages of Chapter 11 proceedings, including objections to the disclosure statement, valuation hearings, negotiation of plan terms, objections to confirmation and elections under 11 U.S.C. §1111(b).
- Representation of secured lenders opposing the debtor's use of cash collateral and seeking relief from the automatic stay.
- Representation of several large creditors on an unofficial creditors committee in Philadelphia in a Ponzi scheme case involving \$75 million of recoveries for creditors.
- Representation of the world's largest soft drink bottling company and several other producers of goods and services in all facets of troubled credits arising in connection with bankruptcy cases pending before the Bankruptcy Courts around the country, including preference defense, collections and committee representation.
- Representation resulting in the dismissal of the \$16.8 million preference case following trial for a wholly-owned subsidiary of a leading information services and human resources management company.
- Representation of the stalking horse bidder and equity investors in connection with the successful purchase of four insurance companies from LandAmerica Financial Group, a Chapter 11 debtor before the United States Bankruptcy Court for the Eastern District of Virginia.
- Representation of numerous commercial landlords in connection with Chapter 11 proceedings, including cases filed in Delaware and New York, by national retailers. This representation has included successfully prosecuting a contested motion seeking the payment of rent as administrative expenses before the Third Circuit Court of Appeals in the Goody's Family Clothing Chapter 11

Bankruptcy filed in the Bankruptcy Court in Delaware.

- Representation of numerous municipal and cooperative utilities in connection with Chapter 11 cases filed by retail and manufacturing companies in the Bankruptcy Courts around the country, including Delaware, New York, Texas and South Carolina. This representation included objecting to and negotiating the resolution of contested motions to establish adequate assurance of payment associated with the post-bankruptcy provision of utility service.
- Acted as co-counsel for the debtor-in-possession in the Fabric Estates, Inc. (formerly Propex, Inc.) Chapter 11 case filed in the Bankruptcy Court for the Eastern District of Tennessee.
- Representation of broker-dealer in defense of \$10.5 million fraudulent conveyance action in the Bankruptcy Court for the Northern District of Georgia.
- Representation of floor-plan lenders in various bankruptcy and state court receivership proceedings, including lender with claims in excess of \$20 million.
- Representation of receiver in multi-million dollar assisted living facility state court receivership action.

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