

CORPORATE RESTRUCTURING AND CREDITORS' RIGHTS

Rutan's Corporate Restructuring and Creditors' Rights Group is comprised of attorneys with specialized knowledge and expertise in issues concerning financial institutions, creditors' rights, and bankruptcy. The Group has extensive experience representing a wide range of clients, including creditors, debtors, debtors in possession, trustees, committees, landlords, asset purchasers and sellers, directors and officers of debtors, and other parties in a variety of complex bankruptcy reorganizations and liquidations, and in bankruptcy litigation. Outside of bankruptcy, the Group regularly handles out-of-court debt restructuring, complex loan workouts, assignments for the benefit of creditors, receiverships, and foreclosures, litigation in state and federal courts, and arbitrations and mediations.

Numerous attorneys in our Corporate, Real Estate, Tax, Public Law, and Litigation Departments regularly are called upon to become involved in the firm's restructuring and creditors' rights matters. We bring together in a single integrated Group of professionals product of deep knowledge and resources in restructuring, distressed acquisitions, loan enforcement, credit transactions, and litigation.

Our Group's experience and capabilities in the various aspects of a corporate restructuring and creditors' rights practice include a variety of areas, including:

- Representing creditors, committees, debtors/debtors in possession (including "single asset real estate" entities), and trustees in chapter 11 cases
- Prosecuting and defending bankruptcy-related claims for relief, such as preferential and fraudulent transfers, objections to discharge and non-dischargeability actions
- Distressed M&A including acquiring assets (including intellectual property) out of formal insolvency proceedings
- Representing officers and directors of financially troubled companies
- Representing landlords and property owners in restructurings and bankruptcy cases
- Formulating, negotiating, drafting, and objecting to chapter 11 plans of reorganization
- Prosecuting and defending claims and claims objections, including reclamation claims
- Seeking appointments of trustees and examiners and dismissal/conversion of chapter 11 cases
- Representing both prospective purchasers and sellers in the sale of estate assets, including intellectual property sales and licenses
- Prosecuting, and defending against, motions for relief from the automatic stay

In addition, our Group frequently represents clients in the state and federal courts, including:

- Real property judicial and non-judicial foreclosures
- UCC foreclosures
- Receiverships
- Enforcement of judgments and debt collection
- Fraudulent conveyance and preference actions
- Obtaining attachments, injunctions, restraining orders, and other pre-judgment remedies

