



## Bankruptcy – Debtor Representations

Our lawyers have substantial experience in advising distressed businesses from a broad array of industries as they evaluate their options, including Chapter 11 reorganization, Chapter 7 liquidation and out-of-court workouts. As businesses face difficult decisions, the Bankruptcy Code provides opportunities to obtain a breathing spell from pending litigation, restructure existing financial obligations and seek relief from burdensome contracts and leases.

We guide clients through the bankruptcy planning and filing process and provide assistance with selling their business or assets in bankruptcy, addressing employment-related issues, bringing avoidance actions or other litigation or accomplishing an orderly wind-down. We also help distressed businesses explore alternatives to bankruptcy, including negotiating loan modification and forbearance agreements with their secured and unsecured creditors and implementing orderly out-of-court workouts.

### Representative Matters

- Represented trio of nursing home debtors facing significant financial and managerial issues in highly contentious Chapter 11 proceedings in Connecticut; successfully averted emergency closure of facilities by Department of Social Services; addressed substantial insurance and payroll issues; defended debtors from aggressive actions by secured lender, labor unions, and state and federal government agencies
- Served as Delaware counsel in Chapter 11 proceedings to wind down operations of debtor engaged in the design, manufacture and sale of residential and commercial furnishings
- Represented automotive parts manufacturer as debtor in Chapter 11 proceedings in Delaware; negotiated arrangement for customers to provide debtor-in-possession financing, which enabled debtor to manufacture sufficient parts to fill current needs and build parts banks before winding down operations in an orderly manner; obtained Bankruptcy Court authorization for debtor to sell its remaining assets, free and clear of liens and encumbrances, pursuant to a Court-approved auction

### Related Practices

Financial Restructuring and Bankruptcy

- Represented computer-based simulation training company as debtor in Chapter 11 proceedings in Eastern District of Pennsylvania; successfully transferred venue of breach of contract litigation from Connecticut to Bankruptcy Court, extended automatic stay protection to debtor's principal and rejected burdensome office space lease
- Represented medical software developer as debtor in Chapter 11 proceedings in Delaware; successfully reduced \$11 million claim of former officer and shareholder to \$2.26 million and equitably subordinated claim, precluding any recovery by claimant. Worked with debtor with formulate and confirm plan of reorganization
- Represented financial printing company and three affiliates in jointly administered Chapter 11 proceedings in Eastern District of Pennsylvania; assisted the debtors in selling their businesses under the auspices of Section 363 of the Bankruptcy Code; worked with debtors to formulate and confirm plan of reorganization
- Represented fractional jet ownership company in negotiating out-of-court workout with over 100 trade creditors and fractional owners, before formally dissolving corporation