

Overview

StepToe & Johnson's Bankruptcy/Creditors' Rights Group has vast experience in workouts, collections, and insolvency. Team attorneys advise in structuring transactions in the course of bankruptcy and other collection proceedings. The group represents a variety of interests in reorganization matters, including secured lenders, individual creditors, and debtors.

Group attorneys have experience in dealing with the rights of lien holders in all chapters of bankruptcy and have handled a wide variety of creditors' interests, including executory contracts, restructuring challenged assets, and the purchase of assets at bankruptcy sales and from insolvent sellers.

Attorneys on the Bankruptcy Team often work with clients throughout the lifecycle of their businesses, which can involve restructuring, workouts, and navigating bankruptcy. In those situations, the experience firm attorneys have with lending institutions is exceptionally valuable.

Firm clients include companies in banking, energy, manufacturing, health, technology, construction, e-commerce, and real estate. StepToe & Johnson is committed to knowing our clients' business, recognizing the clients' objectives, and achieving those objectives.

Areas of Focus

- Creditors' Rights
- Forbearance and modification
- Foreclosure
- Insolvency
- Asset purchase out of bankruptcy
- Receivership
- Chapter 11 Trustee representation
- Restructuring, including Chapter 11 debtor representation and workouts
- Creditors in Chapter 11 Bankruptcy Plan Analysis and Negotiations with Debtors

Representative Experience

- Represented creditors by guiding them through the intricacies of bankruptcy, foreclosure, and collection methods to maximize recovery of secured and unsecured debt
- Negotiated loan forbearance and modification on behalf of lenders to ensure proper documentation to maintain priority in security interests
- Provided secured and unsecured creditor representation in bankruptcy from proof of claim filings, motions to lift the stay, and defense against preference actions
- Assisted clients in exercising rights to repossess real and personal property that has been held as collateral for commercial loans
- Litigated legal and equitable claims of overriding royalty interest holder against debtor in Chapter 11 bankruptcy proceedings
- Assisted financial institutions and other creditors to ensure proper implementation of procedures to comply with the Dodd-Frank Regulatory Reform Act
- Assisted clients across multiple industries, including coal and healthcare, purchase operating assets out of bankruptcy proceedings
- Negotiated and litigated executory contract and lease assumption and cure issues

Highlights

- Nationwide experience representing creditors ranging in size from local banks to national corporations
- Unparalleled experience in energy transactions, bankruptcy, and restructuring of challenged assets
- Attorneys within depth knowledge of a variety of industries, including coal, oil and gas, healthcare, and mixed-use developments
- Team member who served as a bankruptcy trustee for more than twenty years



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