



## BANKRUPTCY & CREDITORS' RIGHTS

When facing the prospect of bankruptcy, you need trustworthy legal advisers to map the complicated way forward. We provide time-tested expertise and experience to help debtors avoid court proceedings and ensure creditors protect their position.

Representing creditors and debtors alike, we are experienced advocates in state, appellate, federal, and bankruptcy courts. Our experience includes such matters as:

- Adversary proceedings
- Appointment of trustee, receiver, or examiner
- Asset sales and valuation
- Bankruptcy claim filing and litigation
- Banks and financial institutions
- Creditors' rights
- Cash collateral
- Chapter 7 business filings
- Chapter 11 filings, including subchapter V
- Trustees, litigation trustees, liquidating trustees, and special counsel
- Case conversion and dismissal
- Claim administration, investigation, and objections
- Claim purchasing and transfers
- Collateral valuation and deficiency
- Contested plan confirmation
- Debtor-in-possession financing
- Employment issues
- Estate administration
- Equity holders
- Exit financing
- Executory contract assumption and rejection, and leases
- Fraud and breach of fiduciary duty
- Judicial and non-judicial foreclosures
- Landlord / Tenant issues
- Loan restructuring, enforcement, and forbearance
- Non-dischargeability
- Preference and fraudulent conveyance actions
- Provisional remedies
- Receivership
- Stay relief
- Trade vendors and utilities
- UST reporting
- Uniform Commercial Code (UCC)

### BANKRUPTCY PROCEEDINGS & RESTRUCTURINGS

We guide corporate and individual debtors through restructurings, negotiate workouts with creditors, and handle bankruptcy proceedings, including Chapter 7 liquidation and Chapter 11 reorganization cases. We help debtors prepare for bankruptcy and develop strategic planning if creditors initiate litigation or an involuntary bankruptcy proceeding.

Businesses contemplating bankruptcy often require legal counsel in matters that extend beyond the bankruptcy arena. As needed, we seamlessly integrate the expertise of other Gallagher & Kennedy attorneys to address taxation, real estate, and employment issues, among other practices.

#### **CREDITORS' RIGHTS**

We counsel creditors to best position themselves to protect their rights both in advance of a debtor's insolvency and after a bankruptcy filing. We help them assert their rights in bankruptcy court proceedings. Our creditor clientele includes local and out-of-state financial institutions, landlords, vendors, prospective asset purchasers, and creditors' committees.

In a complex environment of unwinding business transactions, protecting and defending your position is paramount.

#### **RELATED PRACTICE AREAS:**

Corporate & Business Transactions  
Litigation  
Real Estate