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Bankruptcy-Related Counseling and Support in Commercial and Business Transactions

With the increasing interplay between bankruptcy and all other areas of the law, Pryor Cashman's Bankruptcy, Reorganization and Creditors' Rights Group assists all practice areas of the firm in the structuring and documentation of business transactions. For example:

- We work closely with the firm's Banking and Finance Group in structuring secured loans and financings, work-outs and loan restructurings, debtor-in-possession financing, and matters involving questions of lien perfection and claim priority
- We regularly support the firm's Corporate and Real Estate groups in counseling landlords, tenants, lenders and general corporate clients in structuring financings, bankruptcy-remote transactions, securitization, uses of letters of credit, and other credit enhancements to minimize insolvency risks
- We regularly assist the firm's Intellectual Property Group and Entertainment, Media and Communications Group in the structuring of licenses to protect all elements of intellectual property rights (copyrights, trademarks, patents and trade secrets) from bankruptcy risks, as well as in the representation of clients where insolvency-related or bankruptcy court proceedings ensue
- For the Corporate Group and Banking and Finance Group, we prepare, where required, reasoned non-consolidation opinions or true sale opinions to support financing and securitization transactions, and we counsel on issues involving bankruptcy-remote entities, fiduciary duties in bankruptcy and insolvency contexts and related matters
- We regularly assist the firm's Labor and Employment Group, Executive Compensation, ERISA and Employee Benefits Group, Tax Group and Trusts and Estates Group in assessing bankruptcy and insolvency risks associated with the structuring of benefit plans, and estate and asset disposition planning