



Debtor in Possession Financing

We work with a distressed company's management and financial advisors to craft the best possible business solution during a financial crisis. We are experienced in handling distressed mergers and acquisitions (M&A), whether in an out-of-court transaction, a state court receivership, Section 363 sale under the Bankruptcy Code, under a plan of reorganization, or in a prepackaged or other enforcement transaction.

At Burr & Forman, our strength in the banking industry helps us provide financial institutions with counsel in connection with debtor in possession (DIP) financings and exit financings related to distressed M&A. We also develop, negotiate, and execute reorganization strategies for all types of matters found in the asset resolution section of banks.

Our team at Burr & Forman has actively been involved in major bankruptcy proceedings in the Southeast and on the national level. We represent clients in the manufacturing, real estate, health care, agriculture, retail, education, and construction industries. On the creditor side, we represent secured creditors, such as financial services institutions, asset-based lenders, and local, regional, and national banks, as well as REITs, equipment sellers, and lessors.

In addition, we represent official creditors' committees, bank debt and ad hoc creditor groups, secured lenders, equity holders, derivative and swap counterparties, and other creditors in out-of-court reorganizations, debt restructurings, enforcement processes, liability management strategies, and bankruptcy proceedings.

PROFESSIONALS

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