

# Bankruptcy, Restructuring & Commercial Litigation

PRACTICE GROUP



The Hodgson Russ Bankruptcy, Restructuring & Commercial Litigation Practice Group has extensive experience representing all types of parties in connection with complex bankruptcy and insolvency matters—including related transactional matters and litigation proceedings. Because of this experience, the group is able to evaluate client matters quickly and then promptly develop and implement creative solutions to advance and protect our clients' interests. In addition to the group's broad substantive and experiential base in bankruptcy, insolvency, transactions and litigation, we frequently partner with Hodgson Russ's other practice groups to provide our clients with a full spectrum of legal services.

## Experience

- ▶ Workouts, restructuring, arrangements, and compositions both outside the context of pending bankruptcy proceedings and before the U.S. bankruptcy courts, including cases and adversary proceedings under Chapters 7, 11, 12, and 13 of the U.S. Bankruptcy Code
- ▶ Protection of secured lender and secured creditor collateral positions and enforcement of secured obligations.
- ▶ Representation of corporate indenture trustees and bondholders
- ▶ State and federal fraudulent conveyance laws
- ▶ Preference avoidance actions
- ▶ Asset protection planning for business entities and individuals
- ▶ Asset and business acquisitions from bankruptcy estates
- ▶ Secured "Article 9" transactions, commercial paper, sales of goods and other Uniform Commercial Code matters
- ▶ Director and Officer liability
- ▶ Lender liability
- ▶ Commercial real property leases and eviction proceedings
- ▶ Financial institution loss prevention issues, including bank fraud and commercial paper

- ▶ Federal and state insolvency-related tax issues and proceedings
- ▶ Civil provisions of the Racketeer Influenced and Corrupt Organizations Act (RICO)
- ▶ Mortgage, Article 9, and mechanics' lien foreclosures; replevin actions; and statutory actions to recover chattels and other foreclosure matters
- ▶ Court-appointed receivership proceedings
- ▶ Obtaining and enforcing money judgments

## Representation

- ▶ Debtors, both publicly and privately owned
- ▶ Financial institutions, including commercial banks, savings banks, and other private lenders
- ▶ Indenture trustees and bondholders
- ▶ Secured and unsecured creditors
- ▶ Equity owners
- ▶ Creditors' committees
- ▶ Equity committees
- ▶ Trustees and examiners
- ▶ Court-appointed receivers
- ▶ Equipment lessors
- ▶ Commercial landlords and tenants
- ▶ Buyers of assets from bankruptcy and foreclosure sale proceedings
- ▶ The Securities Investor Protection Corporation

The Hodgson Russ Bankruptcy, Restructuring & Commercial Litigation Group is able to represent clients' interests before the bankruptcy courts of any district in the United States and practices regularly before all federal and state courts in New York and Florida at the trial and appellate levels.

## Cross-border practice

Hodgson Russ lawyers in our Canada offices practice U.S. law exclusively. Over the past 50 years, our firm has developed a distinctive practice advising Canadian clients on a broad range of cross-border and U.S. legal matters. Important areas of cross-border practice include U.S. corporate finance and securities, immigration, international tax, structuring of business interests and other corporate law issues, intellectual property, labor and employment, strategic alliances, environmental, bankruptcy, and insolvency law. Hodgson Russ attorneys work cooperatively with Canadian clients' accountants, Canadian attorneys, and other professional advisors.

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