COLE SCHOTZ
COLE, SCHOTZ, MEISEL, FORMAN & LEONARD, P.A.

# BANKRUPTCY & CORPORATE RESTRUCTURING

Cole Schotz's Bankruptcy & Corporate Restructuring Department has expertise in complex corporate restructurings, state and federal insolvency proceedings and "high stakes" bankruptcy litigation. Our clients include debtors, creditors' and other statutory committees, institutional creditors, secured parties, indenture trustees, bond insurers, venture capitalists, lessors and contract parties, asset purchasers, equity holders, directors, and court-appointed fiduciaries.

We practice on a national platform with veteran attorneys based in Delaware, Maryland, New Jersey, New York, and Texas, which provides a "one stop shop" for our clients. The department has earned high marks and placed prominently for the past several years in *Chambers USA: America's Leading Lawyers for Business*, a well-respected legal directory, compiled based on in-depth interviews with key in-house counsel and private practice attorneys. Attorneys from our other highly regarded departments such as corporate, tax, real estate, environmental, and litigation, frequently contribute their expertise in meeting our clients' needs in financially distressed situations. We are known not only for the high caliber of our representations, but also for our economic efficiency in handling complex matters and bringing them to a successful resolution. Unlike many other bankruptcy practices, Cole Schotz does not represent major financial institutions, which enables us to be unquestionably and directly adverse to those entities and to be retained as co- or conflicts counsel on behalf of debtors or creditors' committees.

<u>Out-of-Court Restructurings and Chapter 11 Reorganizations</u>

Usually confronted with emergent situations, our attorneys swiftly and efficiently assess our client's source of financial distress and work to devise and implement innovative alternatives to preserve enterprise value and fulfill our client's business objectives.

In analyzing our clients' circumstances, we strive in the first instance to avoid a Chapter 11 filing and to provide creative out-of-court restructuring advice and options through consensual debt restructurings and financial recapitalization.

If bankruptcy is the most viable restructuring option, our extensive experience representing Chapter 11 debtors uniquely positions us to achieve successful results.

<u>Business Sales</u>

The sale of a business and/or its assets is often the most viable option. We assist our clients in seeking the most advantageous means of disposing of distressed business interests, whether though asset or stock sales, and institute and process orderly liquidations pursuant to federal and state law.

<u>Bankruptcy Litigation</u>

## BANKRUPTCY & CORPORATE RESTRUCTURING (Continued)

We are not just experts in complex corporate restructuring proceedings – many of our attorneys are also seasoned litigators. We regularly handle pre-bankruptcy litigation. We are well versed in litigation procedure and trial practice and are capable of handling all facets of the complex litigation that often arises in restructuring matters. We are frequently retained as special litigation and/or conflicts complex litigation counsel within bankruptcy proceedings.

The types of bankruptcy litigation that we handle include: plan confirmation, debtor-in-possession financing, cash collateral, relief from the automatic stay, asset sales, complex fraudulent transfer and preference litigation, equitable subordination and recharacterization of debt to equity, substantive consolidation and other litigation involving affiliates of debtors, chapter 11 trustee and examiner motions; claims challenges and estimation, and lender liability.

Secured Creditors' Rights

In limited circumstances, we will undertake the representation of non-institutional secured lenders such as private equity firms, opportunity funds and note holder groups. We work with our clients to develop and implement innovative and practical solutions that maximize the value of their collateral and interests in and out of bankruptcy.

## BANKRUPTCY & CORPORATE RESTRUCTURING (Continued)

**REPRESENTATIVE MATTERS Chapter 11 Debtor Industry**
**Adamar of New Jersey, Inc. (a/k/a/ Tropicana Casino and Resort-Atlantic City) Gaming B. Moss Clothing Retail Bamboo Abbott, Inc. t/a Prestige® Window Fashions Manufacturing Best Manufacturing Group LLC Manufacturing Beth Israel Hospital Association of Passaic d/b/a PBI Regional Medical Center Healthcare Burke Industries, Inc. Manufacturing Cadence Innovation LLC Auto Carretta Trucking, Inc. Trucking Fedders North America Manufacturing Gemcraft Homes, Inc. et al. Real Estate Hit or Miss, Inc. Retail Integral PET Associates Healthcare J.G. Wentworth LLC Financial Marcal Paper Mills, Inc. Manufacturing Owens Corning Manufacturing Princeton Ski Shop, Inc. et al. Retail Ritz Camera Centers, Inc. Retail Sagecrest Holdings Ltd. Financial Tarragon Corporation et al. Real Estate The Tribune Company Publishing United Healthcare Systems, Inc. Healthcare**

### Creditors’ and Other Statutory Committees

**Industry** CFM U.S. Corporation Distribution Drug Fair Group, Inc. Retail First Interregional Advisors Corp. Financial Indalex Holdings Finance, Inc. Manufacturing Kara Homes, Inc. Real Estate Linens ‘N Things Retail Parmalat USA Corp. Manufacturing PHP Healthcare Corporation Healthcare Semcrude, L.P. Energy Shapes/Arch Holdings, L.L.C. Manufacturing Treasure Island, Inc. Retail