



Restructuring & Insolvency

Farella Braun + Martel's bankruptcy and creditors' rights practice handles all aspects of business bankruptcy, reorganizations and debt restructuring. Our team works closely with other key practice groups, including real estate, insurance coverage, intellectual property, complex litigation and tax to provide customized, multi-disciplinary assistance and advice to our clients.

Global capital market instability has created risk and loss, as well as opportunity. Across nearly every industry sector, the sudden shift in market values and more limited access to financing have exposed thousands of companies to new risks, including, litigation, forced liquidation of assets in a difficult market and bankruptcy. Buying distressed assets has attractive benefits for investors with the vision and resources to capitalize on this reversal of fortunes. On the other hand, the difficult market puts a premium on creativity and early planning to preserve options for financially strapped businesses and asset owners.

Our multi-disciplinary bankruptcy team has developed niche specialties in insurance company insolvency, employee and retiree benefits in bankruptcy, technology company restarts, real estate restructurings, asset and company acquisitions and sales out of bankruptcy, environmental issues in bankruptcy, governmental unit bankruptcies and bankruptcy appeals. With a foundation based in these practice specialties, our team represents clients from the negotiating table to the court room.

We provide cost-effective, practical assistance in bankruptcy litigation and matters requiring creative legal approaches to minimize future bankruptcy risks. For example:

- Manage litigation of large and complex bankruptcy adversary proceedings.
- Advise clients on structuring and drafting settlements, judgments, joint ventures, licenses and other transactions to avoid bankruptcy risks and maximize client leverage if the other party later files bankruptcy.
- Assist in buying assets and companies out of bankruptcy.
- Represent creditors, debtors and other parties in interest in Chapter 11 and business Chapter 7 cases.
- Litigate bankruptcy appeals, including dealing with complicated issues of finality of judgments, stays, and preventing appeals from becoming moot.
- Obtain bids for, and purchase of, assets out of bankruptcies, ranging from large wineries purchases, an attempted acquisition of a publicly-traded restaurant chain and the purchase of an approximately \$100 million hotel property to the acquisition of various intellectual property assets out of bankruptcy sales and auctions.
- Advised various high net worth individuals on how to hold their assets in bankruptcy proceedings.

Contacts

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Areas of Focus

Bankruptcy Litigation
Distressed Assets and Real Estate

Related Practices

Business Litigation
Business Transactions
Environmental Law
Intellectual Property Litigation
Private Clients
Real Estate and Land Use
Wine Industry