

Bankruptcy and Creditors' Rights

OVERVIEW

Governmental restrictions, reduced demand, supply chain disruptions, and crushing debt is causing increased distress, default, and insolvency across economic sectors. When our clients are affected by troubled financial situations and a potential for bankruptcy has surfaced, our team engages quickly to navigate the complexities and develop a strategy with options for next steps. Each case presents a unique scenario to which we bring a seasoned team with decades of experience in financial transactions, working on all sides of the table and through different economic cycles to improve our clients' financial positions. Ultimately, each case involves weighing the legal issues against the financial resources of the debtor and strategizing to recover the greatest financial benefit in the shortest amount of time. Our team handles matters including:

- Appeals from bankruptcy decisions and judgments
- Collections and collection of judgments
- Commercial landlord-tenant disputes
- Defense of preference recovery and other actions by trustees in bankruptcy cases
- Executions against real and personal property and writs of garnishment
- Judicial and non-judicial foreclosures of liens and creditors' interests in real and personal property
- Leasing transactions
- Post-petition financing and use of cash collateral
- Protection of secured creditors' interests including discharge litigation
- Structuring of loan agreements and other business transactions to minimize risk of loss in bankruptcy
- UCC Article 2 – sales of goods
- UCC Article 9 – secured transactions, including default and remedies
- Workout and settlement agreements

As these matters can be unsettling for a business, we work collaboratively with our clients who include:

- Banks and credit unions
- Commercial finance companies
- Creditors' committees
- Landlords
- Personal property lessors
- Ranchers and farmers
- Real estate lenders
- Receivers
- Secured and unsecured creditors
- Trade creditors
- Trustees

Advocates Experienced on All Sides of the Table

Our clients appreciate the rare combination of experience our team delivers, having represented both creditors, debtors, and trustees in local, regional, and national cases. Our reputation has grown from our attorneys' significant and varied experiences. Jordan Ramis has attorneys who have served as bankruptcy trustees, have experience as a state judge, and bring past experience in the credit and title insurance industries. Having been on all sides of the table gives us a unique and well-rounded perspective that makes us more valuable by knowing the right questions to ask and planning the next steps.

Workouts, Restructurings, and Reorganizations

Our experience and understanding of the bankruptcy and litigation landscapes enables us to facilitate agreements to resolve matters short of bankruptcy proceedings. As strategic and business-oriented negotiators, we also represent our clients' interests in insolvency proceedings, including cases under chapters 7, 11, and 13 of the [Bankruptcy Code](#). In what is often a daunting and difficult process for our clients, we engage our insider's knowledge of their business and industry to protect their contract rights, pursue what is owed to them, and ensure they understand their rights and options. We understand there are alternatives to litigation and work with our clients to maintain a positive relationship between the creditor and borrower by renegotiating agreements, contracts, leases, and loans.

Litigation and Going to Trial

We recognize out-of-court alternatives may not present the best outcome in some circumstances. In these situations, we are fully prepared to litigate our clients' claims in state, federal, and bankruptcy courts. Our team of commercial and bankruptcy litigators have many years of experience in all aspects of litigation in and out of bankruptcy court and are always prepared to employ persuasive and strategic counsel to protect our clients and maximize recovery.