

INSOLVENCY & COMMERCIAL BANKRUPTCY

Companies caught up in the uncertainty of financial distress benefit from the knowledge of trusted legal counsel. Husch Blackwell has extensive experience advising all the major constituencies involved in commercial bankruptcy proceedings and non-bankruptcy restructurings, including debtors, trustees, secured creditors, creditors committees, suppliers, lessors, landlords, franchisors, purchasers, and equity holders.

As national and regional counsel, we manage insolvency law matters and creditors' rights matters in jurisdictions across the country and internationally. Our case management system is tailored to clients' information and reporting needs and allows secure, 24/7 access to case information. We have developed and managed a network of local insolvency and commercial bankruptcy counsel to ensure clients receive the best, most cost-effective legal representation.

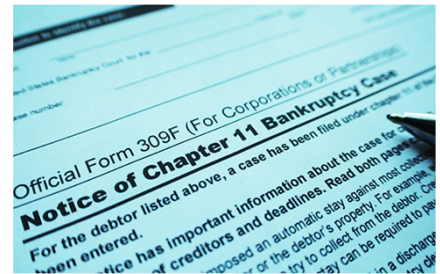
Bankruptcy

Our team has experience in complex financial restructurings and liquidations. We have represented clients in some of the largest and most complex bankruptcy cases filed in recent years, including:

Brooke Corp. et al (Brooke Insurance)

Dana Corporation

Doskocil and Wilson Foods cases



“Working with the Husch Blackwell team on a wide range of legal issues has consistently exceeded my expectations. I would sum up their services as knowledgeable, thorough, direct and, best of all, easy to manage.”

— Gear Fisher,
Former CEO,
Peaksware —

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Farmland Industries

Federal-Mogul Corporation

HMC/CAH Consolidated, Inc.

Homeland Stores, Inc.

PatientFirst Healthcare, Inc.

Payless Cashways Solutia, Inc.

Union Financial Services, Inc.

Commercial dispute resolution and litigation

We can advise you on all aspects of litigation in state and federal courts. Along with representing clients in enforcing loan documents, leases, and contract actions, we participate in alternative dispute resolution. This approach often enables clients to reduce litigation costs and to resolve differences quickly. Our team is also involved in various stages of intellectual property, employment, tax, and other litigation matters handled by the firm.

Creditors' rights and extraordinary remedies

We have extensive experience representing secured lenders and creditors, landlords, lessors, and vendors in commercial creditors' rights matters. Our experience includes:

Foreclosing mortgages, deeds of trust, and other security interests

Obtaining receiverships

Obtaining temporary and permanent protective orders, restraining orders, and pre-judgment writs

Pursuing and enforcing judgments in commercial matters

Pursuing and preserving reclamation, recoupment, and set-off rights

Recovering collateral for secured creditors and lessors

Utilizing pre- and post-judgment remedies

Insurance insolvency

Our team can support you with insurance insolvency proceedings, including ancillary bankruptcy. We negotiate and draft rehabilitation and liquidation petitions, plans and orders, management services contracts, asset sales, and merger transactions. In recent years we have identified and recovered significant sums for clients and helped to resolve or adjudicate numerous claims against insolvent estates.

International insolvency

Our team has significant experience in international insolvency proceedings and represents secured creditors on cross-border transactions and offshore asset recovery.

National and regional lead counsel

As national and regional counsel, we manage insolvency and creditors' rights matters in jurisdictions across the country and internationally. Our case management system is tailored to your information and reporting

needs and allows secure, 24/7 access to case information. We have developed and managed a network of local counsel to ensure you receive the best, most cost-effective legal representation.

Workout and out-of-court restructurings

We can advise you on all aspects of workouts and out-of-court restructurings, including refinancing, out-of-court restructuring agreements, forbearance agreements, corporate restructurings, and purchasing of assets from troubled businesses.

Representative Experience

Represented floorplan lender in sale of electronics retailer, recovering outstanding \$8 million loan facility in full in bankruptcy in Montana.

Represented Christian Care Centers as debtor's counsel in its Chapter 11 petition filed with the U.S. Bankruptcy Court for the Northern District of Texas.

Worked on behalf of corporate investors, retirees, small-business owners, bankers, lawyers, and physicians who were defrauded in Maryland's largest \$350 million Ponzi scheme. After individual assets were seized by Securities and Exchange Commission (SEC), identified, preserved, marketed, and liquidated bank accounts, real estate, and personal purchases in order to maximally repay investors.

Represented secured lenders in sale of surgical specialty hospitals and realizing approximately \$13 million in

equipment leases and loans for creditor client.

Assisted seller of seven nursing home facilities in Texas.

Advised seller, a medical device manufacturer, on its \$100 million going-concern asset sale, including two manufacturing facilities in Wisconsin.

Represented seller of 97 store locations of closed retail business and four distribution centers in 18 states.

Represented buyer of office building and historic tax credit rights for an office built by Howard Hughes and listed on the National Register of Historic Places.

Represented Tyson Foods in a motion to recover \$393,566 in unpaid invoices from a food wholesaler that had filed a Chapter 11 bankruptcy petition. Successfully negotiated resolution for Tyson that provided for full payment of the claim and released Tyson from any avoidance actions.

Guided Archdiocese of Milwaukee through Chapter 11 reorganization of its financial affairs to address actions caused by priests who harmed children decades ago.

Secured two settlements worth nearly \$150 million on behalf of our client, a state insurance commissioner, in his capacity as the liquidator of an insolvent insurer.

Represented a State Attorney General's Office and a state treasurer in an energy company's Chapter 11 bankruptcy filed in federal court.

Represented one of the country's largest private homebuilders after a concrete subcontractor filed Chapter 11 bankruptcy after falling behind on paying its suppliers. The

suppliers filed liens on more than 100 houses, which meant that each property lien had to be investigated and considered separately.

Represented commercial landlord in \$2.9 million state court lawsuit for breach of contract and breach of guaranty claims against a spinal surgeon who vacated space, defaulted on the lease prior to its completion, and then filed Chapter 7 bankruptcy a few days prior to the start of the trial.

Represented the official committee of unsecured creditors in multimillion chapter 11 bankruptcy case for global satellite technology company and 40 subsidiaries.