



Bankruptcy & Creditors' Rights

Williams Mullen partners with regional, national and international clients to find creative solutions in loan workouts and collections, troubled company turnarounds, bankruptcy planning and proceedings and corporate restructurings through negotiation, litigation or a transactional approach. The group is supported by other Williams Mullen lawyers working in related fields such as corporate and securities law, finance, tax, government contracts, real estate, government relations, intellectual property and labor and employment. Experience includes the representation of individual creditors and committees in reorganization and workout matters, advising buyers and sellers of distressed assets and debt and structuring and closing a variety of debt transactions for lenders, investors and borrowers. Our partner clients reflect a broad industry array such as financial institutions, retail, communications, manufacturing and hospitality.

Documentation of Financings, Restructurings, Sales, Acquisitions and Workouts

Williams Mullen represents clients in the planning, negotiating and documenting debt restructurings; sales and acquisitions of assets entities and debt instruments; and negotiated financings with the goal of enforcing and protecting their rights. Our lawyers represent lenders, landlords, issuers and borrowers in a broad variety of restructuring transactions, including senior and mezzanine financings, debtor-in-possession (DIP) and letter of credit financings. We help clients manage risk relating to the sale and acquisition of assets and debt of financially distressed businesses via bankruptcy sales, reorganizations, foreclosures and other proceedings. Due to our broad range of experience, our attorneys have developed strong proficiencies in various fields including the financial, retail, real estate, hospitality, technology and government contracts industries.

Fraudulent Conveyance and Preferential Transfer Analysis and Litigation

Fraudulent conveyance or transfer analysis and preference analysis may be a critical step in negotiating a litigation settlement or in representing a client in an asset sale or acquisition. Avoiding or limiting preference and fraudulent conveyance liability in the first instance can be complicated, but strategies may be implemented to minimize potential future loss. Williams Mullen has extensive experience in identifying fraudulent conveyance and preference issues and advising clients on how fraudulent conveyance and preference considerations may impact the value of a settlement or an asset transaction.

Often a simple modification of a transaction structure may dramatically reduce a client's preference or fraudulent conveyance risk. Similarly, when a client is faced with a demand for return of a transfer alleged to be fraudulent or preferential, Williams Mullen has skilled professionals who can offer valuable and practical advice on available defenses, negotiate settlements or handle complex litigation that may involve intricate valuation and accounting issues.

Bankruptcy Litigation

In addition to the traditional bankruptcy related creditors' rights services we provide, Williams Mullen bankruptcy and litigation lawyers have handled claims and disputes relating to debtor-in-possession financing, fraudulent conveyances, equitable subordination and debt recharacterization, professional retention and compensation, plan confirmation contests, substantive consolidation, director and officer liability issues and appeals, among other things. In complex matters, our bankruptcy and litigation teams

often collaborate to provide the optimum focus and experience to address the client's interests. Many of the most complicated disputes that arise in the debtor/creditor context can be resolved with creative and thoughtful lawyering. When negotiated resolutions fail, however, we have the litigation experience to serve our clients from discovery through trial and beyond.

Foreclosure of Security Interests

Williams Mullen represents clients in the handling of real estate foreclosure sales and secured party personal property sales. Our lawyers represent banks, commercial lenders, mortgage companies and institutional lenders in executing deeds of trust through the conduct of foreclosure sales on all forms of commercial and/or residential property. Our attorneys also advised lenders as to potential real estate title issues which may arise throughout the course of a foreclosure sale, including proper disposition of Federal tax liens and/or mechanic's liens, which may be recorded against the property. Our attorneys are also familiar with alternative methods of disposition of real estate collateral, including Deeds in Lieu of Foreclosure, short sales and similar arrangements.

With respect to personal property, our attorneys have represented the same lenders in handling the disposition and enforcement of security interest in personal property through secured party sales, which may be through public or private sales. Due to our broad range of experience, our attorneys have developed strong skills in the most efficient and profitable method of the disposition of assets which serve as collateral for our clients.

Related News

- [Talk America, Inc. v. Michigan Bell Telephone Co.](#)
- [Seventy-two Williams Mullen Attorneys Named to 2010 "Legal Elite"](#)
- [Williams Mullen has 47 first-tier metropolitan rankings in Best Lawyers and U.S. News Media Group's Best Law Firms inaugural publication](#)
- [Fifteen Williams Mullen Attorneys Named 2010 North Carolina "Super Lawyers" or "Rising Stars"](#)
- [Holmes P. Harden Comments on 17% Increase in Bankruptcy Filings in Wake County, N.C.](#)
- [Nine Williams Mullen Attorneys Named "Legal Elite" in North Carolina](#)
- [Paul S. Bliley, Jr. Comments on a Homebuilder Facing Bankruptcy](#)
- [Eighty-one Attorneys Named "Best Lawyers in America 2009"](#)
- [Williams Mullen Attorneys Named 2012 Virginia "Legal Elite"](#)
- [100 Williams Mullen Attorneys Named 2014 Best Lawyers in America](#)
- [Williams Mullen Receives Top Rankings in U.S. News Best Lawyers "Best Law Firms"](#)
- [Williams Mullen Attorneys Named to Virginia Business magazine's 2013 "Legal Elite"](#)
- [Williams Mullen Attorneys Named 2014 North Carolina Legal Elite](#)
- [100 Williams Mullen Attorneys Named 2015 Best Lawyers in America](#)
- [Williams Mullen Attorneys Named to Virginia Business magazine's 2014 "Legal Elite"](#)
- [106 Williams Mullen Attorneys named 2016 Best Lawyers in America](#)
- [Williams Mullen Ranked Nationally in 16 Legal Practices by U.S. News "Best Lawyers" Best Law Firms" 2016](#)
- [50 Williams Mullen Attorneys Named to Virginia Business magazine's 2015 "Legal Elite"](#)
- [56 Williams Mullen Attorneys Named 2016 Virginia Super Lawyers; 22 Named 2016 Rising Stars](#)
- [Holmes Harden Quoted in The News & Observer on Southern Season Bankruptcy](#)
- [100 Williams Mullen Attorneys Named 2017 Best Lawyers in America](#)
- [Williams Mullen Ranked Nationally in 15 Legal Practices by U.S. News "Best Lawyers" Best Law](#)

Firms? 2017

- 50 Williams Mullen Attorneys Named to Virginia Business magazine's 2016 'Legal Elite'
- 10 Williams Mullen Attorneys Named to the 2017 North Carolina Super Lawyers List
- 54 Williams Mullen Attorneys Named to 2017 Virginia Super Lawyers List; 21 Named 2017 Rising Stars
- 32 Williams Mullen Attorneys, 12 Practice Areas Recognized by Chambers USA for 2017
- 114 Williams Mullen Attorneys Listed in The Best Lawyers in America 2018
- Nine Williams Mullen Attorneys Named 2018 'Lawyers of the Year' by The Best Lawyers in America
- Williams Mullen Ranked Nationally in 14 Practice Areas by U.S. News 'Best Lawyers' 'Best Law Firms' 2018
- 46 Williams Mullen Attorneys Named to Virginia Business Magazine's 2017 'Legal Elite'
- 9 Williams Mullen Attorneys Listed in North Carolina Super Lawyers for 2018; 3 Included in Rising Stars List
- 53 Williams Mullen Attorneys Named to 2018 Virginia Super Lawyers List; 20 Named 2018 Rising Stars
- 110 Williams Mullen Attorneys Listed in Latest Edition of The Best Lawyers in America®
- Williams Mullen Ranked Nationally in 15 Practice Areas by U.S. News 'Best Lawyers' 'Best Law Firms' 2019
- 45 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2018
- 13 Williams Mullen Attorneys Named to Business North Carolina's 2019 'Legal Elite'; Keith Kapp and Elizabeth Scott Inducted Into Hall of Fame
- 11 Williams Mullen Attorneys Named to 2019 North Carolina Super Lawyers List; Keith Kapp and Elizabeth Scott Named to Top Lists
- 47 Williams Mullen Attorneys Named to 2019 Virginia Super Lawyers List; 17 Named 2019 Rising Stars
- Williams Mullen Bolsters Bankruptcy Practice With 4 Attorneys
- 30 Williams Mullen Attorneys, 12 Practice Areas Recognized in Chambers USA 2019
- Jennifer McLemore Elected to the Board of the American Bankruptcy Institute
- Document Preservation Strategies for Creditors in a World with Changing Discovery Rules
- Stoppage Notices Have Chilling Effect on Liens of Secured Creditors
- Blue Bell Creameries: Addressing the 'Otherwise Unavoidable' Conundrum of the Plain Language in § 547(c)(4)(B)
- Getting Your Priorities Straight: Administrative Expense Priority for a Pre-Petition Claim
- Tyler Rosá Named to CoVa BIZ's 2019 Millennials on the Move
- In re First River Energy LLC: The Agent vs. the Producers
- Jamie Bruno Selected to Leadership Metro Richmond's Leadership Quest Class of 2020
- 119 Williams Mullen Attorneys Listed in 2020 Edition of The Best Lawyers in America®
- Mike Kelly Named to 2019 Class of Leaders in the Law by Virginia Lawyers Weekly
- Williams Mullen Nationally Ranked in 13 Practice Areas by U.S. News 'Best Lawyers' 'Best Law Firms' 2020
- Williams Mullen Welcomes Three Attorneys to Richmond Office
- 55 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2019
- 13 Williams Mullen Attorneys Named to Business North Carolina's 2020 'Legal Elite'
- 10 Williams Mullen Attorneys Named to 2020 North Carolina Super Lawyers List; Camden, Kapp

and Scott Named to Top List

- 29 Williams Mullen Attorneys, 11 Practice Areas Recognized in Chambers USA 2020
- When Collateral Is Gone, Can an Unsecured Secure Repayment?
- 35 Williams Mullen Attorneys Named to 2020 Virginia Super Lawyers List; 13 Named 2020 Rising Stars

Related Events

- McLemore appears in Season 5 of "Eye on Bankruptcy"
- Litigating Relief from Stay Motions in Commercial Cases
- Chapter 11 Hot Topics
- Recent Developments in Consumer and Commercial Bankruptcy Cases
- D&O Fiduciary Duties for Financially Troubled Companies: What to Do and What Not to Do
- Essentials of Bankruptcy Law in Virginia
- Recent Developments in the Law
- Does It Pay to Be a Bankruptcy Lawyer Anymore: Baker Botts, L.L.P. v. ASARCO, L.L.C.,
- Preference Action Mock Hearing
- Issues and Strategies in Health Care/Continuing Care Retirement Community Bankruptcy Cases
- How to Effectively Take and Defend a 2004 Exam
- Bankruptcy Law for the Domestic Relations Attorney
- The Business Chapter 13 and Consumer Chapter 11 ? Complex Issues in Bankruptcy: From the Supreme Court to the Practice Court seminar
- Intersection of Bankruptcy and Landlord/Tenant Law
- VBA's 2013 Credit Management Conference
- 39th Annual Advanced Business Law Seminar

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