

PRACTICE

Financial Restructuring & Bankruptcy

KEY CONTACTS

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OVERVIEW

A financial restructuring professional should first seek to avoid the expense and complexities associated with a formal insolvency proceeding. If that goal cannot be achieved, a restructuring professional should provide workable and economical exit strategies. This is what Bowditch's team offers – cost-effective, practical business solutions to situations of financial distress whether it is a work-out, wind-down, secured party sale, receivership, or bankruptcy.

Bowditch routinely represents debtors, estate fiduciaries, creditors, equity holders, directors, officers, landlords and committees in a wide variety of industries, including, without limitation, biotech, manufacturing, distribution, healthcare, real estate, construction, private equity, technology, and retail.

Bowditch's financial restructuring and bankruptcy practice has a long history in some of the largest bankruptcy and insolvency proceedings in the Northeast. With a diverse array of practice areas, Bowditch can support all aspects of its client's business to ensure a successful resolution.

EXPERIENCE

- Represented $50,000,000 distributorship in chapter 11 and related litigation with supplier. Successfully negotiated going-concern sale of business and resolution of litigation. Proceeds of sale and other recoveries paid all secured and priority claims in full and will provide substantial dividend to unsecured creditors.
- Represented research entity as debtor in contested chapter 11 proceeding. Successfully defended efforts of principal competitor to seize control of debtor's assets and closed sale free and clear of those claims after multi-day contested trial. The debtor's research was allowed to continue and ultimately received eight-figure equity infusion.
- Represented successful purchaser of iconic New England seasoning and stuffing brand in secured party sale under Article 9 of the Uniform Commercial Code.
- Counsel to creditors' committee and plan trustee of car dealer floorplan lender. Resolved multiple disputed and insider claims, proposed and consummated a joint plan of liquidation resulting in meaningful dividend.
- Represented energy supplier in successfully designated purchase agreements as forward contracts in chapter 11 proceeding, permitting client to sell energy credits outside of bankruptcy and going-

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concern value.

- Counsel to chapter 11 trustee of century-old New England candy manufacturer and distributor. Consummated a distressed sale of substantially all assets and successfully prosecuted and resolved disputed actions involving more than $150,000,000 of disputed claims, which provided continued production of many of the company's iconic brands.
- Successfully represented secured party credit bidder in acquisition of multi-unit apartment complex in Section 363 bankruptcy sale.
- Represented commercial landlord in chapter 11 bankruptcy nationwide mattress chain, ensuring assumption of leases and payment of appropriate cure amounts.
- Represented owner and operator of seafood processing facility in New Bedford, Massachusetts in chapter 11 proceeding. Developed and implemented a post-petition competitive bidding process for the Debtor's assets, resolved objections to the sale, and confirmed reorganization process.

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