



## Charles J. Sullivan

### Member

csullivan@bsk.com  
One Lincoln Center  
110 West Fayette St  
Syracuse, NY 13202-1355  
(315) 218-8144  
(315) 218-8100 fax

### Profile

**Charles has more than 30 years of experience in business and commercial law.**

He represents clients in connection with financing transactions, mergers and acquisitions, private equity transactions, business formations, business restructurings and contract negotiations. Charles also is a member of Bond's business restructuring, creditors' rights and bankruptcy practice, and provides representation to both lenders and borrowers. He is a frequent speaker on a variety of business and bankruptcy law topics.

### Representative Matters

#### Mergers and Acquisitions

- Served as counsel to Dairylea Cooperative Inc. in its merger with Dairy Farmers of America, Inc.
- Served as counsel to a laser manufacturer in its \$230 million merger with a multinational technology company
- Served as counsel to Consumer Credit Counseling Services of Central New York, Inc. in its merger with ClearPoint Credit Counseling Solutions
- Represented a major copper products manufacturer in its bid to acquire the assets of a competitor in a bankruptcy section 363 auction sale of the competitor's operating assets
- Served as transaction counsel to a charter airline in the sale of its fleet of aircraft
- Represented a regional airline in the purchase and sale of multiple aircraft
- Represented a custom manufacturing firm in its acquisition of a competitor's assets from the competitor's secured lender and multiple equipment financiers and lessors through a coordinated secured party (UCC Article 9) purchase and sale transaction

#### Restructuring and Workouts

- Served as counsel to a retirement community as borrower in its financial restructuring that resulted in a contingent write-down of more than \$24 million in secured debt
- Served as counsel to an aircraft manufacturer as borrower in its restructuring of more than \$21 million in indebtedness to a local development corporation

### Education

- University at Buffalo School of Law (J.D., *magna cum laude*, 1992)
- St. Lawrence University (B.A., *cum laude*, 1989)

### Bar/Court Admissions

- New York

### Practices

- Business and Transactions
- Agribusiness
- Business Restructuring, Creditors' Rights and Bankruptcy
- Commercial Lending
- Financial Institutions Regulatory
- Long Term Care
- Manufacturing
- Mergers and Acquisitions
- Municipalities
- Property
- Startup and Emerging Business

- Represented a charter aircraft company in its restructuring of a \$15 million obligation secured by multiple aircraft
- Represented a developer in its workout of a building loan obligation
- Served as counsel to multiple lenders in many commercial loan workout and restructuring transactions

#### Chapter 11 Bankruptcy

- Served as counsel for the debtor in a chapter 11 case filed by a specialty aircraft fastener manufacturer and represented the debtor in its sale of substantially all assets through a bankruptcy section 363 auction sale
- Served as counsel for the debtor in a chapter 11 case filed by a not-for-profit nursing home and represented the debtor in its sale of substantially all assets through a bankruptcy section 363 auction sale that resulted in a sale price of more than 150% of the initial "stalking horse" bid
- Served as counsel in a chapter 11 case filed by a large commercial farm producing more than 2000 acres of onions and soybeans
- Served as counsel for an institutional investor in recovering upon a claim of more than \$40 million in the chapter 11 case of *In re: Refco, Inc.*
- Served as counsel to Securities Investor Protection Corporation as trustee in the liquidation proceeding of a securities brokerage firm
- Served as counsel to a large distributor of consumer electronics in connection with litigation regarding prepetition claims and offsets in the case of *In re: Eastman Kodak Company*

#### Secured Lending/Corporate Finance Transactions

- Represented a telecommunications company as borrower in connection with its negotiation and documentation of the terms of a syndicated \$200 million asset-based senior secured credit facility
- Represented a dairy cooperative as borrower in connection with its negotiation and documentation of the terms of a \$37.5 million secured credit facility, including negotiating and drafting periodic amendments and extensions
- Represented an agricultural lender as borrower in connection with its negotiation and documentation of the terms of a \$75 million asset-based secured credit facility, including negotiating and drafting periodic amendments and extensions
- Counsel to a regional airline as borrower in connection with its negotiation and documentation of the terms of a syndicated \$33 million secured credit facility
- Represented various lenders in numerous transactions, including asset-based loans, syndicated loans and letters of credit

#### Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law; Corporate Law; Litigation - Bankruptcy, 2010-2025 (listed for 15 years)
  - Lawyer of the Year (Syracuse), Corporate Law, 2017; 2019; 2021; 2023
  - *New York Super Lawyers*®, Business and Corporate, 2024

- New York State Bar Association
- Onondaga County Bar Association
- Central New York Bankruptcy Bar Association
- American Agricultural Law Association
- Associate Member, Northeast Cooperative Council
- National Council of Farmer Cooperatives; Delegate, Legal, Tax and Accounting Committee
- Statutory Draftsperson, Colorado Cooperatives Act and Amendments to the New York Abandoned Property Law
- Head Note and Comment Editor, *Buffalo Law Review*

### Other Activities

- Executive Council of the Alumni Association, St. Lawrence University, 2009-2018; Treasurer 2010-2012
- School Commission, Holy Family School, Syracuse, 2006-2016; Commission Chairperson 2014-2016
- Board of Directors, NY State Industrial Exhibit Authority, 2004-2008
- Board of Directors, Food Bank of Central New York, Inc., 1998-2004; President 2003-2004

### Representative Presentations

- Moderator, Resolving Mass Tort Liability in Bankruptcy Post Purdue Pharma, TMA Upstate New York Chapter, October 13, 2022
- Moderator, The State of the Wine Industry Report - What Does it Really Mean for New York Wines?, B.E.V. NY Business Day Conference, February 26, 2020