

## Business Restructuring, Creditors' Rights and Bankruptcy

### Overview

Bond's business restructuring, creditors' rights and bankruptcy practice is comprised of lawyers whose diverse and varied backgrounds provide the necessary skills to represent a broad spectrum of clients including: commercial debtors, creditors' committees, banks and other institutional lenders, secured parties, trade creditors, commercial developers, health care institutions and insurance companies.

Our demonstrated experience in real estate, corporate, health care, insurance, environmental, intellectual property, tax and labor law allows for full scale representation of our clients in all aspects of pending bankruptcy cases.

Our practice group members have substantial experience in reorganization and liquidation cases and have represented our clients' interests in bankruptcies in Central New York and nationwide. Bond lawyers actively represent clients with respect to: assumption and rejection of executory contracts and real estate leases; protection of cash collateral; post-petition financing, plan structure and confirmation; and the acquisition and sale of assets in bankruptcy. Bond recently acted as special counsel for Agway in structuring and conducting the sale in bankruptcy court of Agway's agronomy, seedway and feed businesses. Sales of a variety of assets were conducted in several transactions to different purchasers throughout the United States. The cumulative sale and each individual transaction was carefully structured to ensure the maximum recovery to the debtor with the least amount of retained liability.

Our lawyers are also active in representing interested parties in bankruptcy hearings and litigation matters which include automatic stay litigation and enforcement; objections to discharge; preference and fraudulent conveyance litigation; lender liability claims; contested proceedings regarding the use of cash collateral and objections to claims; and contested disclosure statement and plan confirmation hearings.

Additionally, practice group members regularly advise clients with respect to the workout and extension of troubled loans; restructuring of debt through out-of-court workouts; business planning formulation; and structuring corporate transactions to anticipate and protect against future bankruptcies.

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