



# Bankruptcy and Financial Restructuring

---

From billion-dollar fraudulent transfer cases, hotly contested plan confirmation litigation and appellate resolution of cutting-edge bankruptcy issues to multinational chapter 11 restructurings, WilmerHale's Bankruptcy and Financial Restructuring Group helps clients confront the most novel and complex problems of insolvency and financial distress. Whether structuring transactions to avoid these problems, closing transactions to address them, or litigating their effects, WilmerHale is on the leading edge of bankruptcy-related practice across industries and geographies.

## EXPERIENCE

- In the last few years we have worked on some of the biggest cases in the bankruptcy market, such as **Avaya, Boston Generating, Cobalt, Dow Corning, Eco-Bat, EFH/TXU, Energy XXI, Fairfield/Madoff, FairPoint, Fuse Media, Idearc, Imerys, Houston Regional Sports Network, Lyondell, Momentive, Murray Energy, Nine West, Sears, SunEdison, Toys 'R Us, Tribune, VIP Cinemas, Weinstein, Westmoreland Coal** and **Wolverine**.
- We are the premier law firm when it comes to bankruptcy appeals, and are widely regarded as the top firm for US Supreme Court bankruptcy cases. We recently achieved important Supreme Court victories in *Mission Product Holdings, Inc. v. Tempnology, LLC* and in *Czyzewski v. Jevic Transportation Co.*
- We have played a lead role in many hotly contested bankruptcy litigation matters, including the successful representation of bondholders in make-whole, post-petition interest and other claim allowance fights; objections to plan confirmation; and the defense of major fraudulent transfer and related litigation.
- Together with our firm's first-in-class life sciences, technology and securities practices, we have represented financially distressed companies and their creditors and purchasers through in-court and out-of-court transactions, in sectors ranging from digital lending and payment processing, to private investment and credit reporting, to medical diagnostics and genomic therapy.
- Our vast experience makes us well-suited to help companies and other market participants navigate financial distress brought on or exacerbated by the COVID-19 crisis and similar transformative events.

**“WilmerHale is a top-notch talented and experienced team.”**

— *U.S. News – Best Lawyers*® 2020

**“The WilmerHale team is second to none. There is just no comparison.”**

— *Chambers USA* 2019

## AREAS OF FOCUS

- **Financial Restructuring:** We represent stakeholders in financial restructurings through chapter 11 cases, cross-border insolvency proceedings and out-of-court restructurings. Our financial restructuring matters span virtually every sector of the economy and often draw on WilmerHale’s knowledge in other areas including intellectual property, debt finance, securities and other government regulation.
- **Bankruptcy Litigation:** WilmerHale’s trial and appellate lawyers offer the ideal team for high-value bankruptcy and creditor rights litigation. We are known for our involvement in cases dealing with substantial, often unsettled issues of bankruptcy law and policy, with a proven track record of success, obtaining precedent-setting victories in cramdown and other plan confirmation disputes; fraudulent transfer, preference and subordination matters; and “make whole” and other litigation.
- **Creditor Groups & Representatives:** We have experience representing ad hoc committees, official committees, agents and indenture trustees in bankruptcy and financial restructuring matters. WilmerHale’s bankruptcy and financial restructuring lawyers bring a nimble and creative approach to serving clients in the insolvency context, protecting their rights and interests while maximizing their investment opportunities.
- **Financial Distress & Government Regulation and Investigation:** WilmerHale’s firmwide capabilities in virtually every area of government regulation give us a unique perspective on the intersection of government regulation and investigations with bankruptcy. We have experience evaluating and mitigating insolvency risk in securities and commodities contexts and in addressing the financial distress that can accompany government investigation and regulatory action.
- **Investment in Financially Distressed Companies:** We represent financial and strategic investors in sourcing, structuring and implementing their investments in financially distressed targets, both in and out of bankruptcy. We help clients conduct diligence on, design and document their investments, and when litigation becomes part of the strategy of realizing their investment goals, WilmerHale’s bankruptcy litigators work seamlessly with our financial restructuring lawyers to reach the best results.
- **Distressed Mergers & Acquisitions:** WilmerHale’s bankruptcy and financial restructuring lawyers are recognized for their work in distressed M&A and asset divestiture transactions through section 363 bankruptcy sales, chapter 11 reorganization plans, foreclosure sales, secured party sales, receiverships, reverse mergers and other distressed sale processes.
- **Insolvency & Intellectual Property:** WilmerHale’s firmwide experience in intellectual property extends to its bankruptcy practice. For decades, our bankruptcy and financial restructuring lawyers have been advising technology clients on issues at the intersection of bankruptcy and intellectual property.

## RECOGNITION

**Chambers USA** has routinely recognized our Bankruptcy and Financial Restructuring Practice as among the top in Washington DC and New York

**U.S. News - Best Lawyers®** has awarded WilmerHale with first-tier national rankings in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law since 2010

**M&A Advisor** honored WilmerHale with the 2019 Chapter 11 Reorganization Award and the 2017 Restructuring Community Impact Deal of the Year Award

For more information, please contact:

**Philip D. Anker** — Partner | +1 212 230 8890 | philip.anker@wilmerhale.com

**Andrew N. Goldman** — Partner | +1 212 230 8836 | andrew.goldman@wilmerhale.com

Wilmer Cutler Pickering Hale and Dorr LLP is a Delaware limited liability partnership. WilmerHale principal law offices: 60 State Street, Boston, Massachusetts 02109, +1 617 526 6000; 1875 Pennsylvania Avenue, NW, Washington, DC 20006, +1 202 663 6000. Our United Kingdom office is operated under a separate Delaware limited liability partnership of solicitors and registered foreign lawyers authorized and regulated by the Solicitors Regulation Authority (SRA No. 287488). Our professional rules can be found at [www.sra.org.uk/solicitors/code-of-conduct.page](http://www.sra.org.uk/solicitors/code-of-conduct.page). A list of partners and their professional qualifications is available for inspection at our UK office. In Beijing, we are registered to operate as a Foreign Law Firm Representative Office. This material is for general informational purposes only and does not represent our advice as to any particular set of facts; nor does it represent any undertaking to keep recipients advised of all legal developments. Prior results do not guarantee a similar outcome. © 2020 Wilmer Cutler Pickering Hale and Dorr LLP