



# Banking and Financial Services

## PEOPLE

Mary Kay Brown  
Sigmund Fleck  
Scott Klein  
Raymond McGarry  
Jami Nimeroff

## SERVICES

Bankruptcy  
Business and Finance  
Business and Real Estate Transactions  
Business Counseling  
Commercial Credit Recovery and Workout  
Commercial Credit Structuring  
Commercial Litigation  
Business Torts  
Contract  
Real Estate Litigation  
General Litigation

## Overview

### ENTRENCHED IN THE FINANCE INDUSTRY

We work closely with many different stakeholders in the banking and financial services sectors, including banks, borrowers and private equity clients, among others.

On the transactional side, we routinely represent lenders and borrowers in negotiating and documenting secured and unsecured commercial loans of all sizes. We also represent clients in the acquisition and sale of loans as well as document the restructuring of troubled credit facilities both in and out of bankruptcy.

Knowing that transactions are often time-sensitive, we are skilled at meeting tight deadlines. We cost-effectively represent clients in standard commercial mortgage and asset-based loans, as well as complex loan transactions, which sometime involve complicated intercreditor relationships. Our attorneys understand where our clients derive value from loan facilities and place a premium on efficiency to maximize that value.

In the litigation arena, we frequently represent clients in financial services litigation in state and federal courts in matters involving debt collection, loan defaults, lender liability, breach of fiduciary duty, and employment matters, among others.

### EXPERIENCE

- Represented financial institution in borrower lawsuit alleging breach of contract and conversion which concluded with the voluntary withdrawal of the complaint against the bank.
- Recovered multimillion-dollar real estate collateral portfolio for commercial bank after multiple challenges raised by debtor in state court and multiple Bankruptcy Court proceedings.
- Litigated disputes involving consumer protection laws and consumer fraud acts in federal and state courts.
- Represented lenders and borrowers in prosecuting and defending against confessions of judgments filed in Pennsylvania courts.
- Prosecuted confession of judgment action and defense of lender liability claim resulting in complete recovery of debt as well as an award of \$500,000 in attorneys' fees.

- Successfully prosecuted claim of financial advisor against former employer for \$1.1 million in commission and capital in the business.
- Defense of numerous ERISA matters for large east coast financial institution.
- Obtained six-figure trial verdict for construction equipment leasing company after recovery of collateral
- Obtained verdict and complete recovery on conversion claim resulting from sale of bank collateral.
- Obtained precedential decision affirming the continued vitality of the absolute priority rule in personal Chapter 11 bankruptcy cases on behalf of the creditor.
- Successfully defended creditor's entry of judgment against attack based on alleged violations of Equal Credit Opportunity Act's regulation B.
- Obtained multimillion-dollar judgment against defaulting guarantor and successfully defended judgment before Superior Court.
- Obtained dismissal of Chapter 11 case on feasibility grounds.
- Orchestrated successful liquidation of equipment and real estate for defunct millwork company.
- Negotiated sale and represented lender in successful sale of OREO property.