

Bankruptcy & Creditors' Rights Team

Womble Carlyle's Bankruptcy Team can provide comprehensive, innovative solutions for any bankruptcy and creditors' rights needs.

Our team has experience in handling virtually every type of issue that arises in bankruptcy reorganization and liquidation cases. Our attorneys assist clients in obtaining repayment of debt and recovery of collateral through their knowledge of creditor remedies, debt restructuring techniques, and workout transactions.

Our experience also includes handling:

- Receivership Cases
- Plans of Arrangement
- Loan Forbearance and Extension Agreements
- Other Non-Bankruptcy Workouts and Restructuring

Business litigation has long been a bedrock practice for Womble Carlyle and bankruptcy litigation is a key and growing component of our work. We have handled many contested matters before Bankruptcy Courts and at all levels of appeals, such as:

- Chapter 11 Confirmation Proceedings
- Lender Liability Claims
- Preferences and Fraudulent Transfers
- Non-Dischargeability Actions, Setoff and Recoupment
- Subordination
- Adequate Protection
- Priority Claims
- Debtor-in-Possession Financing Issues
- Valuation Disputes
- Automatic Stay and Section 105 Injunctions
- Guaranty and Foreclosure Litigation

Lawyers on the team have appeared for clients in business bankruptcy cases before more than 30 bankruptcy courts.

Professional Expertise

Keeping up with the latest developments is especially important in a highly technical, specialized field like bankruptcy. Our attorneys are actively involved in the highest levels of bankruptcy professional organizations and put that knowledge to use on behalf of clients.

Team members are active in—and often leaders of—such organizations as the American College of Bankruptcy, the Business Bankruptcy Committee of the American Bar Association, the American Bankruptcy Institute, the Bankruptcy Section of Lex Mundi (an international association of more than 160 law firms and more than 18,000 attorneys worldwide), and the bankruptcy sections of state and local bar associations. For example, of the six bankruptcy attorneys in the state of North Carolina who are Fellows of the American College of Bankruptcy, three are Members of Womble Carlyle.



Our Clients

Most of our clients are secured and unsecured creditors, such as trade creditors, special servicers of real estate-backed loans owned by investment trusts, banks, thrifts, insurance companies, and other business clients.

But our attorneys also represent business debtors, bankruptcy committees, bankruptcy trustees, and receivers. Other representative clients include parties in litigation with debtors, purchasers of assets from bankruptcy estates, landlords, equipment lessors, guarantors, shareholders and post-petition lenders.

Our Attorneys

Although national in scope, the Team's practice is concentrated in the Southeast and Mid-Atlantic regions. For more information about our Bankruptcy and Creditors' Rights practice, please contact:

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