

DISTRESSED M&A

Practice

PRIMARY CONTACTS

J. FRASHER MURPHY
T +1 214.651.5246
F +1 214.200.0517

Our Restructuring lawyers have advised hundreds of funds, investors, and companies in the negotiation, documentation and consummation of acquisitions of financially distressed businesses. Our experience runs the gamut, from acquiring senior debt with the goal of exercising remedies to acquire assets, to bidding at foreclosure sales, negotiating with owners and management for an out-of-court purchase transaction, to becoming a stalking horse bidder or upset bidder in a bankruptcy sale or plan process. We have broad industry experience, including manufacturing and distribution, retail, energy, aviation and airlines, logistics, and transportation, telecommunications, technology, real estate, agri-business and healthcare.

Whether buy side or sell side, acquisitions in the distressed environment pose unique challenges. Distress empowers stakeholders such as creditors, unions and employee groups, shareholders, landlords and governmental units. The result is that a normal bilateral healthy company transaction becomes a multilateral process where experience is essential to ensure that value is maximized and threats to the viability of the proposed transaction are neutralized. Our extensive experience developed through hundreds of transactions equip our Restructuring lawyers to manage these competing interests, whether on behalf of a troubled company on the sell side or a strategic or financial buyer on the buy side.