

## Dockwell in Law360: Uptick In Lender Guarantor Claims Shapes New Deals

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**PRACTICES** Commercial Real Estate Leasing, Real Estate

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Haynes Boone Partner [Brett Dockwell](#) spoke with *Law360* as an increase in claims by lenders seeking to recoup commercial real estate losses from loan guarantors is informing negotiations in new deals.

Read an excerpt below.

*In order to pursue a guarantor rather than the collateral property, lenders must surmount the recourse carveout, which protects guarantors from liability except in certain circumstances.*

*"Certain lenders, and I would say often special servicers, can be very aggressive in enforcing guarantees and making claims of a triggering event for a recourse carveout. I've definitely seen some creativity there," said Dockwell.*

To read the full article from *Law360*, click [here](#).