SHULMAN ROGERS

Commercial Finance

Commercial Finance Attorneys Serving Maryland, Virginia, and Washington DC

The business attorneys at Shulman Rogers have extensive experience handling commercial lending and finance transactions, working (as lender's counsel) on behalf of global, national, regional and community banks, credit unions, financial institutions, institutional and non-institutional investors, and both publicly traded and privately-held lenders, and (as borrower's counsel) on behalf of publicly traded and privately held companies, both large and small, including those providing goods and/or services to the government.

Our clients' loan transactions can range in size from under $1 million to well in excess of $500 million. Many of our attorneys, who are extremely adept at utilizing efficiencies for the "cookie-cutter" deal and, when warranted, maximizing years of experience for the more sophisticated, "hair-on-it", highly complex deal structure, are well-known in the Washington, D.C. banking community. Our practice group maintains strong relationships with various sources of financing for companies looking to obtain financing, loans and credit facilities, whether it be for working capital and general corporate purposes, acquisition needs or growth/expansion. Aside from traditional bilateral loans and more sophisticated syndicated credit facilities, our practice group also handles virtually all types of asset based lending transactions, including without limitation, loans to government contractors (i.e., involving the financing of government contracts and government contract account receivables, as well as counseling clients on the Assignment of Claims Act).

While the attorneys of the Commercial Finance practice may not have "written the book" on commercial lending and finance, they regularly author, revamp, enhance and supplement "shelf" loan documents utilized internally by national, regional and local banks and other lenders.

Types of our commercial lending and financing capabilities:

- Secured debt (collateralized by commercial or residential real estate, marketable securities, blanket liens, equipment, inventory, accounts receivable (including government AR), artwork, investment accounts, airplane engines, rent and other income streams, promissory notes and other debt instruments, intellectual property, privately held stock and other investment property)
- Unsecured debt, and payable "on demand" credit facilities
- Financing the acquisition of stock, membership interests and other equity positions, or the acquisition of assets (i.e., real property, personal property, contracts and the like)

- Financing company recapitalizations, redemptions, leveraged buy-outs, cash-out transactions and ESOPs
- Financing government contracts and government accounts receivable
- Senior debt, junior debt, mezzanine loans, subordinated debt and intercreditor arrangements
- Syndicated loans, club deals or single bank, bilateral arrangements
- Loan sales, loan assignments, loan servicing arrangements, and loan participations
- Tax exempt financings and non-profit loans
- Cross-border borrowings and credit arrangements
- Letters of Credit, lines of credit, term debt and revolving loans
- Unlimited/unconditional guaranty agreements, as well as limited guaranty agreements, validity guaranty agreements, non-recourse guaranty agreements and "bad boy act" guarantees
- Make-Well Agreements, hypothecation agreements and subordination agreements
- Uniform Commercial Code (UCC) – Article 9 collateral arrangements
- Debt restructures, loan workouts and forbearance agreements

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Results

- Documented, negotiated and closed a $45,000,000 loan transaction made by a national bank to a regional health and fitness club company.
- Documented, negotiated and closed a $27,500,000 credit facility made by a regional bank to a local government contractor.
- Reviewed a credit agreement on behalf of a national bank participating in a syndicated credit facility.
- Represented the lead bank and administrative agent in a $600,000,000 credit facility made available to an international government contractor.
- Documented, negotiated and closed a real estate acquisition, construction and development loan made by a regional bank to a regional developer.
- Represented a private equity group providing $3,500,000 of mezzanine financing to a government contractor.
- Drafted form loan documents for a regional bank to use for virtually all of its loan transactions.
- Drafted form addenda for a national bank to use for its loans and credit facilities made available to government contractors.
- Handled the workout and restructure on behalf of a business development company of $1,000,000,000 of debt held by financial institutions and insurance companies.
- Handled various contract reviews and negotiations on behalf of a national operator of rest stops and airport concessions.
- Documented, negotiated and closed a $5,000,000 loan made by a lender to a skilled nursing facility operator.

- Documented, negotiated and closed a $7,500,000 loan made by a lender to a pharmaceutical company.
- Represented a private equity group providing debt and equity to a local government contractor.
- Represented buyers and sellers of debt.
- Documented, negotiated and closed a $5,000,000 credit facility made by a community bank to a company specializing in buying, renovating and selling residential housing.