

schönherr insolvency & restructuring

a short overview of schoenherr's insolvency & restructuring practice

schoenherr attorneys at law

schoenherr is a leading full service law firm in Central Europe. Operating in a rapidly evolving environment, we are a dynamic and innovative firm with an effective blend of experienced lawyers and young talent. As one of the first international law firms to move into CEE/SEE, we have grown to be one of the largest firms in the region. With 12 offices and several country desks, our comprehensive coverage of the region means we can offer solutions that perfectly fit the given industry, jurisdiction and company.

team insolvency & restructuring

schoenherr's insolvency & restructuring team advises in all relevant areas of insolvency and restructuring work. The team has a strong focus on advising lenders and distressed borrowers on pre-insolvency reorganisation and re-financing. The team advises on the pre-insolvency protection of creditors' rights in restructuring and insolvency situations and represents creditors in pending insolvency proceedings, including insolvency litigation. Due to its experience in international insolvency cases, schoenherr regularly acts as legal advisor to foreign insolvency administrators in cross-border insolvency proceedings. Furthermore, and of growing importance, the insolvency and restructuring team works closely with schoenherr's transactional teams in all transactions that involve insolvency-related risks or concern targets that are or may be affected by insolvency proceedings. In response to current market conditions, schoenherr has set up a dedicated distressed transactions team to provide prompt, specialised assistance when things are threatening to take a turn for the worse. Finally, schoenherr is permanent counsel for international banking associations in in-

solventy related matters and advises international clients in close-out-netting issues. schoenherr's insolvency & restructuring practice has received the top (Band 1) ranking from Chambers Global 2010.

pre-insolvency restructuring & re-financing

The reorganisation of companies in distress requires a good understanding not only of the legal aspects, but also awareness of the economic needs and expectations of all parties involved, whether creditors, such as banks, directors or shareholders. Having advised on various sides of the table, schoenherr's insolvency & restructuring team brings its experience of not only what is legally possible but also what is economically feasible and how to achieve these objectives to the benefit of the parties involved.

pre-insolvency protection of creditors' rights

The protection of creditor's rights can be particularly difficult and legally challenging whenever there is an imminent risk that the debtor might be or become insolvent. With the goal of mitigating any insolvency related risks (e.g. in relation to creditors' liability) our services range from designing insolvency remote structures to exercising a legal risk assessment of existing securities to counselling creditors who are faced with a debtor who seems to be unable to fulfil its obligations.

insolvency proceedings

We regularly advise and support creditors in insolvency proceedings. From the lodgement of claim to participation in insolvency proceedings to the assessment and enforcement of claims against

third parties such as directors and/or shareholders, we offer legal advice to creditors in and around insolvency proceedings.

distressed companies m&a

Our insolvency and restructuring team works closely with our M&A team. This can be part of a restructuring of a corporate group or the acquisition of a distressed company by an investor, be it in- or outside of insolvency proceedings. Due to our experience in M&A transactions in Austria and CEE, and the combined advice of lawyers specialised in insolvency, banking & finance, M&A and tax law, we are in a position to understand and advise on all legal aspects of a distressed M&A transaction.

services

pre-insolvency protection of creditors' rights ■ pre-insolvency debt-restructuring ■ close-out-netting issues ■ distressed companies M&A



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