

OUR PRACTICE

Asset Based Finance

Baker Donelson represents a number of large banks, community banks, credit unions and other financial institutions on asset based loans, including revolving loans for working capital and term loans for asset acquisitions and refinancings. Our attorneys have experience dealing with an extensive range of collateral securing these loans, including accounts receivable, inventory, chattel paper, real property, timber, investment property, equity interests, oil and gas rights, motor vehicles, aircraft, vessels, and other types of equipment. Our firm also has significant Equipment Finance and Real Estate Finance practices.

Our group handles the full range of asset based financial transactions and is made up of attorneys with extensive backgrounds in financial services, tax, corporate, commercial litigation and bankruptcy. Some examples of the services we provide are:

- Creating or evaluating form documents for asset based loans;
- Structuring loan transactions or addressing various issues in specific loan proposals;
- Documenting, negotiating and closing complex asset based loan transactions, including direct loans for financial institutions and syndicated loans for the agent bank;
- Reviewing loan documentation for financial institutions that are participating in syndicated loans;
- Representing the lender in court on loan enforcement and work out matters; and
- Advocating for financial institutions' rights in bankruptcy matters.



Representative Matters

- Represented a regional bank in connection with the default by an entity borrower and its guarantor of various loans secured by certain marine assets.
- Represented a lender in an \$11 million senior secured asset-based revolving credit facility for a North Carolina-based seafood importer.
- Represented a Memphis-based food company in connection with various financing and real estate matters, including the negotiation of a \$150 million syndicated senior credit facility secured by accounts receivable, inventory, equipment, and real estate, to be used to finance acquisitions and operations.
- Served as lender's transactional counsel in connection with a \$325 million loan secured by, among other collateral, 10 ocean-going, U.S.-flagged vessels and pledges of stock and membership interests in various obligors.
- Represented real estate investment and management firm in documentation of \$48 million bridge loan facility secured by mixed-use property with 214 residential units.
- Prepared form asset based loan documents for large national banking institutions.
- Re-documented and modified \$10 million asset-based revolving credit facility, capital expenditure line, and commercial term loans for a dental supply company.
- Represented lenders on syndication of revolving and term loans secured by real estate located throughout the U.S.
- Represented a Memphis-based bank on a \$35 million term loan to a transportation company, which was secured by multiple trucking facilities.
- Represented a Nashville-based bank on an approximately \$50 million term and revolving credit facility secured by multiple intermediate care facilities.

- Represents a Memphis-based bank on a wide variety of bilateral and syndicated commercial financing transactions, including asset-based loans, construction loans and other loans secured by commercial real estate, loans to finance companies, and loans to bank holding companies.