

BANKING & FINANCE

Attorneys in the Hodgson Russ Banking & Finance Practice represents banks, lenders and borrowers in a wide variety of issues, including transactions, restructuring, insolvency, public finance and governance matters.

TRANSACTIONAL PRACTICE

Hodgson Russ represents banks and other lenders and borrowers in a variety of commercial lending and finance transactions, including:

- Lines of credit, revolving credit facilities, formula-based inventory, and accounts receivable loans
- Term loans
- Letters of credit
- Acquisition financing
- Real estate acquisition, construction, and permanent financing
- Equipment leasing and finance
- Cross-border secured and unsecured credit facilities
- Securitized conduit credit facilities
- Receivables purchase transactions
- High-yield note issuances

- Subordinated debt issuances
- Agented syndicated credit facilities
- Public finance transactions, including tax exempt bonds
- Restructuring and workouts
- Debtor-in-possession financings

Our lender clients include commercial banks, asset-based lenders, equipment leasing companies, and other domestic and international traditional and non-traditional lenders.

We represent publicly traded and private companies and nonprofit entities, including colleges, universities, and health care facilities, as borrowers. We frequently assist our clients with the negotiation of interest rate swaps and intercreditor and subordination agreements and with a wide range of collateral types covered by the Uniform Commercial Code or by other federal and state law. With our tax and employee benefits lawyers, we provide

Hodgson Russ was awarded a Metropolitan Tier 1 ranking by *Best Lawyers* and *U.S. News & World Report* in the category of Banking and Finance Law.

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Employee Retirement Income Security Act (ERISA) and tax advice in the lending context.

We assist borrowers in arranging for, negotiating, and closing financing transactions of all sorts.

RESTRUCTURING AND INSOLVENCY

We represent our lender clients in the enforcement of personal property security interest and real estate foreclosures and other enforcement proceedings. We also assist both lenders and borrowers in restructuring and workouts, debtor-in-possession financings, and bankruptcy proceedings, including cross-border proceedings.

PUBLIC FINANCE

We act as bond counsel to a wide variety of public issuers, ranging from simple note financings of equipment to complex refundings and revenue bond transactions. We routinely act as bond counsel, underwriter's counsel, and trustee's counsel and handle environmental-State Environmental Quality Review Act (SEQRA) matters in connection with the issuance of industrial revenue bonds, revenue anticipation notes, tax anticipation notes, budget notes, certificates of participation, statutory installment bonds, bond

anticipation notes, and serial bonds for issuers located throughout New York State and elsewhere.

BANKING CORPORATE PRACTICE

Our banking attorneys have substantial experience in dealing with the following matters affecting financial institutions:

- Handling acquisitions of businesses by banks
- Assisting in purchases and sales of branch offices by banks
- Advising on responsibilities of directors and officers
- Drafting charter and by-law amendments
- Assisting with annual and special meetings of shareholders, including preparing proxy materials
- Drafting stock option and other compensation plans for officers and employees

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Practice restricted to U.S. law



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