

Commercial Lending

Each unique commercial finance transaction requires thoughtful planning and counsel. We take a creative approach to representing institutional lenders and borrowers in sophisticated commercial loan transactions. Our attorneys have substantial experience representing banks and other commercial lenders and business borrowers with commercial loans, including documentation, negotiation, execution and post-closing follow-up.

Amundsen Davis's commercial lending practice includes complex asset loans with routine and unusual collateral, cash-flow loans, line of credit facilities, letter of credit facilities, and mezzanine loans, with or without equity features. Our clients include many leading banks, national life insurance companies, residential, retail, office and medical facility real estate developers; and privately held and publicly traded companies with annual revenues from \$1 to \$250 million to name a few.

By understanding the business goals of our clients, we ensure that their experiences with the commercial finance process are smooth, efficient, and cost-effective from initial negotiations to closing and throughout the life of the credit facility. At the same time, we remain focused on managing and controlling the unique set of risks facing each of our clients. Our goal is simple — provide value throughout the commercial finance process by facilitating the orderly completion of transactions while at the same time mitigating our clients' risks.

Secured and Unsecured Financing

Our commercial lending services include negotiating, structuring and documenting secured and unsecured financing transactions involving both personal and real property, including:

- Working capital and revolving credit loans
- Term and convertible term facilities
- Construction loans
- Commercial real estate loans
- Syndications and participations
- Leveraged buy-outs
- Interest rate swaps and other derivative transactions

Bond Financing

PROFESSIONALS

Eric M. Fogel
Partner

Lawrence J. Glusman
Partner

Brad Goss
Partner

Brandt N. Hardy
Partner

Lisa A. Johnson
Partner

Madalyn S. Kinsey
Partner

Raymond J. Melton
Partner

Keith D. Mundrick
Partner

Vic Peterson
Partner

Julie A. Seno
Partner

Steven K. Sims
Partner

Karen A. Tobin
Partner

RELATED SERVICES

Corporate & Securities

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In addition to conventional commercial financing, we represent underwriters, investment banks, letter of credit providers and borrowers in connection with the issuance of tax-exempt and taxable bonds by state and municipal issuers for general government purposes or on behalf of 501(c)(3) entities and other borrowers.

Loan Restructuring and Workouts

As part of our commitment to assist clients, we also provide assistance to creditors when loans become troubled. Our attorneys have substantial experience in restructuring problem loans, negotiating workouts, and enforcing of creditors' rights and remedies through foreclosures, replevins, receiverships, non-judicial sale of collateral, and bankruptcies.

Experience

Represented a Lender in Connection with Alcohol Permit Assignment Issues, Title and Real Estate Due Diligence

Represented a Participant Lender in a \$50M Construction to Permanent Loan of an Apartment Building

Represented the Senior Lender and Bond Purchaser in a \$20M Low Income Housing Tax Credit Bond Issuance for Public Housing

Represented the Seller in Extensive Negotiations of a Commercial Property that is Subject to a Remediation Plan

Represented the Tenant in a 10-year Lease of a Store to be Used as a Restaurant and Batsu Comedy Club

Represented the Purchaser of a Large Pharmacy Store Chain in a 1031 Tax Exchange

Represented a Senior Lender in Connection with a \$16 Million Recapitalization

Represented a Purchaser in an Acquisition of an Office Building in Indianapolis

Represented a Sole Lender in the Refinancing of a Retail Shopping Center

Represented a Community Bank in an Acquisition and Development of a Commercial Property

Negotiated and Resolved Title Issues and Real Estate Due Diligence Matters for a Lender in the Financing of an Apartment Complex

Negotiated and Resolved Title Issues and Real Estate Due Diligence Matters for a Lender Financing a Restaurant Development

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Firm News

Amundsen Davis Named in the 2024 Edition of Best Law Firms®
Firm News, November 2, 2023

91 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2024 in America
Firm News, August 17, 2023

41 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023
Firm News, August 18, 2022

Alerts

Forbearance Agreements: What Lenders Need to Know
Article, *Amundsen Davis Banking & Finance Alert*, May 15, 2024

Insights from the OCC Semiannual Risk Perspective
Article, *Amundsen Davis Banking & Finance Alert*, July 18, 2023

Federal Bank Regulators Issue Policy Statement on Prudent Commercial Real Estate Loan Accommodations
Article, *Amundsen Davis Banking & Finance Alert*, July 17, 2023

Preparing Your Bank for Possible Turbulence in Commercial Real Estate
Article, *Amundsen Davis Banking & Finance Alert*, April 3, 2023

SBA Creates New Safe Harbor for PPP Certification Review: Loans Under \$2 Million Deemed Certified in Good Faith and Loans Over \$2 Million Subject to Possible Loss of Forgiveness (Updated May 14, 2020: New PPP FAQ #47 published)
Article, May 13, 2020

Limited Safe Harbor May 14 Deadline Looms: Did I Misunderstand or Misapply the PPP Borrower Certification?
Article, May 5, 2020

Breaking News: SBA Extends PPP Safe Harbor Repayment Deadline to May 14: Promises Additional Guidance on Certification Review
Article, May 5, 2020

CARES Act Passed Providing Forgivable Loans to Maintain Business Continuity in Trying Times (Updated March 27, 2020)
Article, March 26, 2020

Events

Commercial Lending 101: An Overview of Loan Documentation and Structuring Speaking Engagement, Indianapolis Bar Association, Seminar; Indianapolis, IN, August 8, 2023

Commercial Lending

Commercial Leases: What Lenders Need to Know
Speaking Engagement, Appleton, WI, March 28, 2023

Behind the Scenes: Evaluating Out-of-Court Workouts, Bankruptcy, and Chapter 128 Receiverships
Speaking Engagement, TMA Milwaukee Committee, Seminar; Milwaukee, WI, March 3, 2022

Thinking About Selling Your Business? What You Need to be Doing Now
Event, Amundsen Davis, Webcast, May 12, 2021

COVID-19 Relief in 2021: What Employers Need to Know
Speaking Engagement, BizTimes Media, Old National Bank, and SVA Certified Public Accountants, Webcast, January 21, 2021

Pandemic Problems: Prominent Legal Issues and Trends in a COVID-19 World
Speaking Engagement, Wisconsin Institute of Certified Public Accountants 2020 Accounting and Auditing Conference, Livestream, November 18, 2020

PPP Flexibility Act of 2020: What Are Your Options Now?
Speaking Engagement, First Midwest Bank, Sikich LLP and BT360, Webcast, June 16, 2020

Understanding the CARES Act
Speaking Engagement, BizTimes Media, Webcast, April 8, 2020

The Corporate Paralegal: Overcoming Top Challenges
Speaking Engagement, Institute for Paralegal Education; Webinar, March 8, 2018

Published Works

The importance of client service and relationships
Publication, *The Indiana Lawyer*, June 8, 2022

State of Illinois Force Majeure Law Compendium (during COVID-19 pandemic)
USLAW, June 5, 2020