

Practices

Secured Creditors and Debtor-in-Possession Financing

Debtor-in-possession (DIP) financing serves a vital business function, allowing debtors to fund operations as they prepare for a reorganization or sale of assets, while also providing secured creditors an opportunity to improve their recovery.

Recognized by *Chambers USA* as “a well-respected practice team,” Akerman’s Bankruptcy and Reorganization Practice Group represents secured creditors throughout the United States. We provide comprehensive legal advice to clients holding all types of security interests and liens in Chapter 7, 9, 11, or 13 bankruptcy cases. Our lawyers are tenacious problem solvers, advising creditors on how to obtain maximum recovery from collateral by the fastest means possible, whether through debtor reorganization or collateral liquidation.

With an expansive network of lender clients, our team has extensive experience in evaluating whether a DIP loan is a sound strategy. We assist existing pre-petition lenders in assessing their loan documentation and existing collateral to determine if entering into a post-petition DIP loan can address any pre-existing deficiencies or otherwise enhance their rights and recovery. We also counsel third party lenders interested in making DIP loans to help debtors fund capital needs while in Chapter 11 reorganization.

Connect With Us



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Our Team

Related Work

Bankruptcy and
Reorganization
Buying and Selling
Assets (Section 363
Sales)
Chapter 11 Business
Debtors
Corporate
Restructuring and
Insolvency

What We Do

- Verify validity of loan documents and perfection of liens
- Negotiate and document credit terms for DIP loans
- Negotiate reorganization and liquidation plan terms
- File and prosecute motions for relief from stay to allow foreclosure of mortgages or other security interests and enforcement of liens
- File and prosecute objections to approval of disclosure statements and confirmation of plans of reorganization
- Bankruptcy Court hearings and trials