

Practices

Secured Financing Litigation

For secured creditors, a loss of collateral can have devastating consequences. Sophisticated legal counsel can create an effective pathway to the reclamation of valuable secured assets.

Recognized by *U.S. News – Best Lawyers* and *Law360* as a top litigating force nationwide, Akerman’s Secured Financing Litigation Practice helps secured creditors recover and dispose of tangible and intangible personal property collateral. Our work spans routine issues, which we handle efficiently and cost effectively, to complex matters where client security interests are under attack or difficult to enforce. Our secured financing litigators work to protect and enforce our clients’ rights against defaulting or dishonest borrowers, junior creditors who seek to improve their position at the expense of more senior or secured creditors, and bankruptcy trustees seeking to “spread the wealth.”

Whether a loan is secured by real property or by tangible or intangible personal property, such as intellectual property, inventory, receivables, furniture, fixtures, equipment, LLC membership interests, or stock, we employ every tool the law provides—including self-help repossession, prejudgment replevins, and judicial and non-judicial foreclosures—to protect our clients’ rights. Our team assists in conducting public and private sales of tangible and intangible personal property and also advises on retention of collateral in full or partial satisfaction of debt. In addition, we regularly represent clients in large-scale repossessions

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Our Team

Related Work

Appellate
Bankruptcy Trustees
and Court Appointed
Fiduciaries
Class Action Defense
Commercial Mortgage
Foreclosures and
Receiverships
Financial Institutions
Commercial Litigation
Financial Services
Litigation
Real Estate Financing

ranging from automobile dealerships and aircraft to heavy equipment and livestock.

What We Do

- Judicial replevins
- Self-help repossessions
- Judicial foreclosures
- Claims against guarantors and borrowers
- Defense of borrower claims and counterclaims, including lender liability claims
- Article 9 foreclosures and sales