Kelley Drye’s bankruptcy and restructuring lawyers guide our clients through the bankruptcy and insolvency process in both domestic and foreign jurisdictions. The firm represents creditors’ committees, financial institutions, indenture trustees, bondholders, landlords, suppliers and trading partners in out-of-court restructurings, bankruptcy reorganizations, and liquidations. Our lawyers are at the forefront in working with clients to develop and execute strategies to maximize recovery, minimize exposure and realize the best business outcome. We understand that the most efficient way to resolve most complex and sophisticated creditors’ rights issues is out of court. When a consensual resolution is not feasible, Kelley Drye vigorously pursues its clients’ interests through accelerated judicial proceedings. By drawing on the firm’s litigation, corporate, securities, real estate and tax practices, and other specialized practice groups, Kelley Drye provides a comprehensive approach to resolving the various problems that arise in situations involving financial distress. The firm also advises its clients with regard to anticipating bankruptcy and insolvency risks to help avoid or minimize them and safeguard their rights.

Kelley Drye’s Bankruptcy and Restructuring Group represents clients in all aspects of the bankruptcy and insolvency process. Our lawyers support clients in the following types of matters:

- **Committees** – Represent creditors’ committees and bondholders, both in out-of-court restructurings and in chapter 11. Kelley Drye is currently representing or has recently concluded the representation of creditors’ committees in cases involving chapter 11 debtors in the financial services, retail, shipbuilding, telecommunications, manufacturing, technology, steel and energy industries.

- **Cross-Border Insolvencies** – Represent creditors’ committees in insolvency proceedings that are pending in both domestic and foreign jurisdictions. The firm has been involved in numerous cross-border proceedings that implicate chapter 15 of the Bankruptcy Code, and litigated issues of first impression in this area of insolvency law.

- **Trade Creditors** – Represent trade creditors in negotiating and documenting contracts with credit worthy companies to mitigate risk of exposure to insolvency and to maximize recovery and minimize exposure when a bankruptcy filing occurs.

- **Indenture Trustees and Bondholders** – Represent the interests of indenture trustees and bondholders in large, complex public company out-of-court restructurings and bankruptcies around the world.

- **Bankruptcy Litigation** – Represent clients in actions brought by debtors, trustees and statutory committees in bankruptcy cases, receiverships and assignments for the benefit of creditors. The firm represents plaintiffs in all types of bankruptcy lawsuits, including preferential transfers, fraudulent conveyances and actions to enforce rights and to recover property.

- **Claims Trades** – Represent buyers and sellers of distressed debt in bankruptcies and other types of insolvencies, as well as claims and interests asserted in class action litigations. We negotiate terms and documentation on behalf of sellers wishing to monetize their claims to realize a more immediate and certain recovery. On the buy side, we assist purchasers in implementing their investment strategy.

- **Retail Restructurings** – Represent landlords, owners and developers of shopping centers, and purchasers of real property and real property leases. The firm has confronted virtually every bankruptcy and real estate issue that may arise in a retail bankruptcy case. Kelley Drye has established relationships with retail liquidators, retail consultants, asset-based lenders and most retail debtors’ counsel across the country. The firm’s lawyers are able to draw upon these relationships to reach consensual resolutions which translates directly into substantial savings for our clients.