Financial Institutions & Lending

Our Financial Institutions & Lending Practice Area attorneys understand the impact of state and federal laws and regulations on financial institutions such as thrift institutions, banks, and bank holding-companies. Our experience includes bank holding-company and de novo banking institutions formation, securities regulation compliance, and in-bank securities-brokerage-operations development. We have a national reputation for successfully handling matters related to bank mergers and acquisitions, holding-company formations, corporate governance, transactions between bank and non-bank affiliates, and intrastate and interstate expansions. Our attorneys have also provided counsel to financial institutions of all sizes in connection with retaining and protecting their directors and key management personnel.

We regularly provide advice on the structuring and documentation of complex commercial-lending transactions, commercial and consumer real estate loans, secured transactions, electronic banking, financial institution data-processing systems, money-service businesses, cross-border transactions, workouts, restructurings, and foreclosures.

In addition to ensuring our clients have properly drafted loan and security agreements and supporting documentation, our financial institutions and lending attorneys explore different ways to reduce the risk of lender liability by staying up-to-date with the most recent developments in court decisions and in federal and state laws and regulations.

Below is a sampling of some of our team's most recent matters:

- Represented a family-owned manufacturer in a private-equity injection and exit and various financing transactions and acquisitions.
- Represented an Eastern super-regional bank in a $1 billion business transfer.
- Represented a mid-Atlantic super-regional commercial bank in regional secured financing transactions.
- Represented a manufacturer in participated asset-based financing in regional secured financing transactions.
- Represented a multi-state, multi-franchise auto floor planning firm in regional secured financing transactions.
- Represented an East Coast real estate developer in regional secured financing transactions.
- Represented a Northeast multi-facility manufacturer in various local secured financing transactions.
- Represented a national real estate developer and operator in various local secured financing transactions.
- Represented a real estate developer in a historic tax credits and new market tax credits historical renovation development.
- Represented a money-services business in local, national, and international operational and regulatory compliance issues.
- Represented various municipalities in urban redevelopment projects.
- Represented a municipality in $28 million and $103 million general-obligation-bond sales.
- Represented borrowers in various local secured financing transactions.
- Represented a lender in a historic tax credit historical renovation development.

Representative Experience

- Represented a lender in a $45 million revolving loan facility initially secured by interests in 16 hedge funds and providing for the substitution of fund interests as the borrower's investments change.
- Represented a residential mortgage lender in connection with a $1 billion repurchase arrangement to serve as a warehouse facility pending sales or securitizations of loan portfolios and an associated $50 million credit facility.
- Represented a lender in extending $19 million in asset-based loans to related mineral mining, processing, and sales companies.
- Represented a lender in connection with the extension of asset-based revolving and term loan facilities totaling $55 million to an art gallery and a private art investment fund secured by, among other aspects, fine art and investment interests in the fund.
- Represented a lender in a $46 million floorplan facility to five related auto dealerships and an $11 million mortgage loan to eight affiliated borrowers.
- Drafted a petition to the Onondaga County Supreme Court to gain approval for a religious corporation to convey multiple parking easements.
- Represented a federal credit union in the refinancing of over 10 multifamily properties in multiple NYS counties. The loan was secured by two mortgages and involved the assignment and consolidation of multiple prior mortgages with different lenders as well as substantial title and diligence review.
- Represents a local food manufacturer in ongoing asset-based financing issues.
- Represents a local entrepreneur in financing and structuring a $10 million downtown business development.
- Represents a local developer in financing and structuring a $10 million real estate development.
- Represents a money services business in regulatory and operational issues.
- Represents a super-regional bank in its $16 million multistate financing.
- Represented a super-regional bank in its $13 million line-of-credit restructuring.
- Assisted with the restructuring of all secured and unsecured debt related to the $25 million merger of two hospitals, including redeeming and reissuing civic facility bonds, coordinating consents from the PA and NY Departments of Health, and handling all real estate and title insurance work related to financing.
- Performed all legal responsibilities related to the $225 million development, construction, and financing of a children's hospital, including negotiating and preparing all development, design, and construction contracts and preparing all loan and real property documentation related to HUD-insured mortgage financing and EB-5 financing.
- Represented a super-regional lender in a $12 million+ loan involving the acquisition of an out-of-state assisted living facility. The closing was under an extremely compressed timeframe with multiple parties, and, given the fact that the collateral was out of state, various regulatory issues needed to be resolved. The transaction was successfully closed within the required time parameters.
- Represented a bank in a construction loan involving mixed-use property in Rochester, New York. The $11 million transaction involved a SWAP component, negotiating borrower and guarantor recourse issues, and resolving title issues.