

# Commercial Finance: Borrower Representation

Seyfarth Shaw LLP's commercial finance team has handled more than \$20 billion in debt finance transactions in just the past two years, ranging in size from \$5 million to \$2.5 billion.

Our finance attorneys routinely represent borrowers in a wide range of credit facilities, working hand-in-hand with our capital markets, corporate, real estate, and other colleagues to provide comprehensive counsel to private equity sponsors, founders and companies. Our team represents borrowers in a full-range of finance activities, including loan transactions to fund capital growth, acquisitions, real estate and project development, and other needs. We understand our clients' business, treat their goals as our own, and recommend approaches in light of their strategic objectives, capital structures and borrowing options.

Our team offers engagement through the entire deal cycle: from evaluating term sheets and financing offers, to structuring first, second, or mezzanine financings, and, if needed, providing restructuring advice, including bankruptcy and exit finance. Our clients benefit from our deep experience in complex and specialized financial areas, including asset-based lending, project finance, syndicated lending and structured finance products. We also have a strong public finance and tax-credit practice, helping our clients access capital at a cost otherwise unavailable in conventional debt markets.

Our finance attorneys also represent a full slate of lenders, including global money center banks, alternative lenders, and to regional or community banks in a full cross-section of lending transactions—syndicated, bilateral, cross-border, secured, or unsecured. This perspective allows us to advise our borrower clients on market terms and customs, providing efficiency and insight throughout the entire process.

## What Sets Us Apart

✓ Since 2014, our commercial finance team has handled more than \$20 billion in transactions on behalf of lenders and borrowers.

✓ We handle transactions of all sizes, from \$5 million to \$2.5 billion.

✓ Our borrower clients benefit from our deep experience on the other side of the table as we represent national, regional and local lenders.

# Demonstrated Track Record of Results

- Represented a private equity sponsor and its portfolio companies, as borrower's counsel. The work included documentation of a series of acquisition loans and working capital loans, and a mix of senior and second lien debt, term loans and revolvers, intercompany debt, and joint venture financings.
- Represented a family owned and acquisitive newspaper, telecoms and cable business, as borrower's counsel, in connection with a \$250 million senior syndicated acquisition term loan arranged by JPMorgan and Bank of America.
- Represented a manufacturer of auto lighting systems, as borrower's counsel, in a \$195 million revolving credit facility from a syndicate of banks led by the Bank of Tokyo Mitsubishi.
- Represented an importer, distributor and manufacturer of premium food products, as borrower's counsel, in connection with a \$45 million syndicated revolving credit facility with Wells Fargo Bank.
- Represented a real estate investment fund, as borrower and investment counsel, in connection with its \$106 million acquisition and financing of a multi-family building in San Francisco.
- Represented a renewable energy provider, as borrower's counsel, in the primary financing for constructing and equipping a new renewable energy facility in Dublin, GA using new market tax credits.
- Represented a real estate management company, as borrower's counsel, in connection with its \$40 million syndicated revolving credit facility, agented by Bank of America.
- Represented a national legal support business, as borrower's counsel, in connection with several loans, including a \$32.5 million term loan and revolving credit facility with Cadence Bank, it's subsequent amendment of that loan to provide for an upsized acquisition financing facility and an additional \$25 million credit facility.
- Represented the largest manufacturer and distributor of seafood products, as borrower's counsel, in connection with its \$60 million financing for constructing and equipping a new facility in Carrolton, GA using new market tax credits.
- Represented a leading supplier of frozen food products, as borrower's counsel, in connection with its \$28 million loan that included secured debt and a partial payoff and restructure of subordinated debt.
- Represented a leading integrated merchandising supply chain company, as borrower's counsel, in connection with its \$75 million complex loan refinancing transaction, including a revolving loan, terms loans, equipment and real estate loans.
- Represented a developer and manufacturer of a printing technology on the restructuring and increases to the secured loans owed by the client. We created a set of syndicated loan documents and devised a rolling syndication to allow new lenders to fund our client without creating new and competing liens. We obtained all the existing lenders' consents to a \$50 million increase to the new second lien facility.
- Represented a fund in a \$225 million subscription secured revolving credit facility to provide working capital and short-term funding in connection with the fund's real estate debt program with a real estate investment firm.
- Represented a manufacturer of a large line of snow and sun equipment in the closing of a refinancing that included a factoring arrangement with Wells Fargo secured by the client's assets.
- Represented a renewable energy company as borrower in connection with a \$4.5 million term loan and equity investment to fund the construction and lease of an organic oil waste to energy facility in Huntsville, Arkansas.
- Represented a portfolio company of private equity firm in an amendment to an existing credit facility, providing a \$2 million increase to a revolving line of credit and an additional \$1.5 million term loan.



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