

Commercial & Syndicated Lending

Business-minded counsel for complex finance transactions



Whether you are seeking, as a borrower or a lender, to

- structure senior or mezzanine financing for a leveraged buyout
- document an asset based loan secured by accounts, inventory, equipment, or other assets
- act as agent or lead-left in connection with a multi-lender syndicated transaction

our team draws upon day-to-day practical experiences to provide guidance regarding current industry and market trends and leading practices for transaction structuring and collateral treatment.

We regularly assist traditional and non-traditional lenders and borrowers with a variety of lending platforms, including

- Asset based lending
- Senior and mezzanine financing
- Specialty finance – restaurant industry and convenience and gas industries
- Commercial and industrial lending
- SPV transactions lending on various pools of assets
- Syndicated credit facilities

Interdisciplinary team and collaborative approach

- Seasoned tax, ERISA, regulatory, employment, real estate and mergers and acquisitions practitioners
- Ability to draw upon 800+ attorneys and professionals across the Firm's platform
- Former in-house counsel and chief compliance officer for large fund managers
- Former SEC regulator

Related Practice Areas

Alternative Lending & Other Non-Bank Financial Services

Banking & Financial Services

Bankruptcy & Insolvency Related Litigation

Consumer Financial Services

Corporate & Securities

Creditor Representation

Cybersecurity & Data Privacy

Debtor Representation

E-Discovery - Encompass

E-Discovery & Information Governance

Emerging Growth & Venture Capital

Executive Compensation, ERISA, Employee Benefits

Financial Institutions Corporate & Regulatory

Financial Services Advisory

FinTech

Government Relations

Intellectual Property

Investment Management

Litigation

Payments & Digital Commerce

Private Equity

Real Estate

Real Estate Capital Markets

Our attorneys provide business-minded, fund-specific perspectives and drive incisive, solutions-oriented legal strategy.

Our clients span the financial services sector

- National, regional and local banks
- Investment banks
- SBICs
- BDCs
- Hedge funds
- Life insurance companies
- Other non-bank financial institutions

Our commercial and syndicated lending services help you

- Lead transactions and close syndicate and sole-bank commercial loan transactions
 - “Club” deals and widely syndicated credit facilities
 - Structure transactions for a broad range of loans, including C&I loans, ABL, leveraged acquisition and recapitalization transactions, mezzanine loans, and other complex commercial transactions
 - Negotiate intercreditor agreements and participation agreements
 - Collateral units in multiple jurisdictions
- Structure term sheets, credit facilities, and related loan documents, including
 - Mandate, commitment, and fee letters
 - Incremental facilities with “most favored nation” pricing provisions
 - Development loans with and without traditional construction monitoring
 - Covenant “lite” transactions
 - Borrowing base with receivables and/or inventory
 - Reducing revolvers
 - Letters of credit
- Navigate regulatory requirements and compliance issues associated with banking regulations regarding loan originations and leveraged finance transactions
- Represent borrowers in connection with any lending transaction of any size

Securities Offerings

Tax

Tax Lien Resolution & Litigation

Trustee, Receivership Practice & Representation

Related Industries

Banking & Financial Services

Consumer Products & Retail

Energy & Utilities

Manufacturing

Why Nelson Mullins?

- Knowledge of current market trends
- Dedicated transaction teams
- Industry relationships
- Competitive rates and budget predictability
- Multi-disciplinary approach

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Specialty Finance – Restaurant Industry and Convenience and Gas Industry

- Represented national lender as Administrative Agent and lender in the amendment and restatement of senior credit facilities consisting of a \$29.5 million term loan, a \$12.6 million term loan and \$10 million development loan secured by 103 quick service restaurants in Georgia, Kentucky, Ohio, North Carolina, Tennessee, Virginia, and West Virginia
- Represented national lender as administrative agent in the amendment and restatement of senior credit facilities consisting of a \$40 million term loan, a \$2.8 million term loan, a \$2 million revolving loan, and a \$6 million development loan secured by 128 quick service restaurants in Florida, Mississippi, Georgia, Alabama, and Louisiana
- Represented national lender as in a \$15 million term loan and a \$.35 million revolving loan secured by 16 quick service restaurants in Florida, Georgia, and Virginia
- Represented national lender as Administrative Agent and lender in the refinance of a \$38.1 million term loan, \$10 million reducing revolving loan, \$1.5 million revolving loan, \$8 million development loan, and \$2 million capital expenditure loan secured by 20 convenience and gas stations in Colorado, Illinois, Kansas, Missouri and Ohio
- Represented national lender as Administrative Agent and Lead Arranger in the refinance of a \$34 million term loan, \$13.5 million term loan, \$9.7 million revolving loan, and \$1.8 million development loan secured by over 100 convenience and gas stations in Maine, Massachusetts, New Hampshire, and Rhode Island
- Represented hedge fund as Administrative Agent and lender in a \$37 million bankruptcy exit financing transaction secured by (i) 46 properties, including 43 convenience and gas stations in Colorado and Nebraska, and (ii) a pledge of equity interests in the borrowing entities
- Represented national lender in a \$22.8 million term loan, \$3 million revolving loan, and \$2.2 million capital expenditure loan secured by 64 convenience and gas stations in Delaware, New Jersey, and Pennsylvania

Other Senior Loan Origination

- \$4.4 billion credit facility to payments processor
- \$50 million secured revolving credit facility to alarm services company
- \$20 million secured senior term facility to marine accessories distributor

Mezzanine Financing

- Represented mezzanine lender in a \$55 million mezzanine loan to nutritional supplement manufacturer/distributor
- Represented mezzanine lender in a \$30 million mezzanine loan to consumer products manufacturing company

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- Represented mezzanine lender in a \$20 million secured mezzanine loan with warrant kicker to marine accessories distributor
 - Represented mezzanine lender in a \$9.1 million secured mezzanine loan to industrial products manufacturer
 - Represented mezzanine lender in a \$7.25 million secured mezzanine loan facility with an equity co-invest to a food ingredients distributor