fladgate

RESTRUCTURING & INSOLVENCY

Introduction to our

Restructuring and Insolvency Team

Overview of our services

Our restructuring and insolvency team is comprised of expert lawyers who are widely recognised for their deep knowledge and immersion in their clients' businesses, as well as the environments in which they operate.

We advise insolvency practitioners, banks and other lending institutions, stakeholders, companies, directors and individuals on corporate insolvency-related and bankruptcy issues. We are also experienced in the distressed investment and debt restructuring markets, and in dealing with transaction avoidance, fraud claims, and other contentious insolvency issues.

The team has a long-established history of representing clients in restructuring and insolvency, often in cross-border distressed situations.

Our work includes advising on directors' duties in the 'twilight zone'; voidable transactions; company voluntary arrangements (CVAs) and debt restructuring; standstills; work-outs; reorganisations and formal insolvency procedures; administration and other business rescue procedures; closures of complex group liquidations; and acting on sales of businesses by distressed companies or their office-holders.

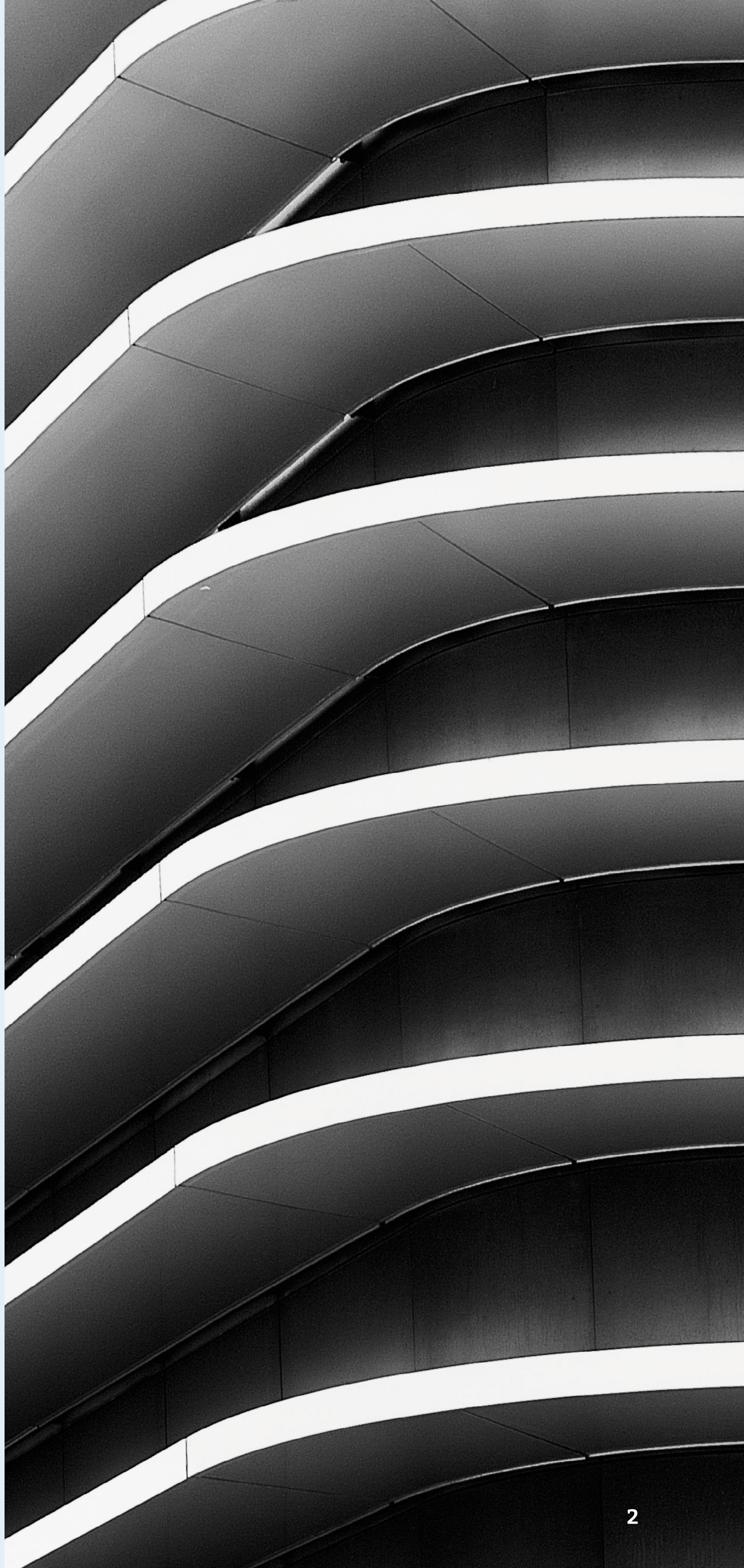
The team works closely with Fladgate's wider corporate, dispute resolution, real estate, and funds, finance and regulatory practices to provide a seamless service to clients.

We are widely recognised for handling complex, high-value transactions and for ensuring our clients' individual aims are vigorously pursued. Our team comprises dedicated, specialist lawyers recognised in their fields of expertise. We are commercial, collaborative, and expert in finding creative solutions.

Each client is unique. We tailor our approach to suit each client's needs, whether they are mid-sized or major corporates, insolvency office holders, private individuals, directors or entrepreneurs. Drawing upon the firm's wider experience and international reach, we customise our advice to achieve the best outcomes for those we act for.

'The team you meet when starting a project is the team you get. Senior partners and others stay close to deals, and very little is pushed down to junior teams with little or no oversight. Strong, continuous engagement from experienced professionals.'

Legal 500



Recent expertise

'Georgia Quenby is a lawyer you want on your side.'

Legal 500

- advised on the financing through significant change of luxury retailer Asprey.
- advised on the refinancing and restructuring of MFI, including the administrations of Sofa Workshop and MFI and subsequent financing for the successful Howden Joinery business.
- **advised on the financing of AllSaints through CVAs, including recognition via Chapter 15 in the US and CCAA in Canada and subsequent successful refinancing.**
- advised on the financing through CVAs, including PE acquisition and subsequent administration, of the Beale department stores.
- represented the boards of the HMV companies in Hong Kong and Singapore through the administration of HMV in the UK.
- represented impacted creditors in MF Global's administration, including successful challenges to bank guarantee claims.
- represented Turkish hotelier creditors to various Thomas Cook companies.
- advised on the financing, restructuring and administrations of Bernard Matthews, Maplin, Austin Reed and LK Bennett (including the Chapter 11 in the US).
- advised on the acquisition via a scheme of arrangement, restructuring, subsequent administration and post-administration acquisition and re-launch of European airline Flybe for Cyrus Capital Partners.
- advised on the restructuring and credit-bid exit from Intelligent Engineering in the UK and BVI/ Bermuda.
- advised on the restructuring and scheme of arrangement for Schefenacker.
- advised a specialist business advisory firm on the sale of the Woven Group's business and assets across the UK and South Africa.
- advised a specialist business advisory firm in their role as joint administrators to a car dealership in the West Midlands.
- **advised joint administrators on their appointment to an anaerobic digestion plant which converts chicken manure into biogas.**
- advised the administrators of a company specialising in AI and low-orbit satellite imagery to automate on-farm regenerative agriculture practices on the proposed transfer of shares in the company by a UAE shareholder to one of its group companies.

Recent expertise

'Jeremy Whiteson is always contactable, very approachable and very knowledgeable. We always feel he is looking after our interests and has wide resources available internally to assist.'

Legal 500

- advised a female influencer marketing agency on a pre-liquidation sale of its talent agency to a leading social media PR agency.
- acted for the administrators in connection with the sale of the business and assets of a fintech company to another company in the payments sector.
- acted for the liquidators of a global healthtech company in connection with the sale of certain assets to a social health company.
- acted for the liquidators of a designer brand on the sale of certain assets.
- **advised the liquidators on the deed of novation of a contract from the company to the buyer of the company's business.**
- acted for insolvency practitioners, buyers, funders, directors and other stakeholders on numerous asset and business purchases/sales by way of pre-pack or orderly sales in diverse sectors including property, technology, manufacturing, hospitality, financial services, retail and sport.
- advised secured lenders, receivers and buyers on sales and purchases of retail, commercial and development property and property-heavy trading businesses.
- **advised directors of numerous companies on strategic decisions in situations of borderline solvency, including structuring rescues or managing a closure process.**
- advised on complex restructurings of corporate groups to restore balance sheets, extract assets in a tax-efficient manner, members' voluntary liquidations, capital reductions and loan and debt re-organisations.
- assisted overseas creditors/shareholders of UK businesses on optimising their position in the light of difficulties in the UK business, including identification of options, managing insolvency buy-outs, turnarounds and closures.

Key Contacts

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'A solid team that is knowledgeable in all aspects of corporate restructuring and insolvency.'

Legal 500

'They swiftly understand the crux of a matter and give an early honest appraisal.'

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