



Special servicers of CMBS loans draw on Duane Morris' deep experience in all aspects of financial restructuring and real estate law to handle complex workouts, foreclosure/receivership, lender liability and bankruptcy matters, as well as REO dispositions and eminent domain defense. We work with some of the largest special servicers in the United States, and our experience extends to more than 30 states.

Duane Morris oversees and manages active litigation, bankruptcies, loan workouts and foreclosures, which involves:

- ▶ Working closely with asset managers and in-house counsel to structure and implement workouts and litigation
- ▶ Directing and supervising outside counsel in the implementation of cost-effective litigation strategies
- ▶ Advising in-house counsel regarding legal developments impacting rights of secured lenders



ACCOLADES

The *Deal* ranked Duane Morris as the **TOP BANKRUPTCY LAW FIRM** in the U.S. for 2018, 2019, 2020 and 2021.



U.S. News-Best Lawyers 2023 recognized the firm with **TOP-TIER NATIONAL RANKINGS** in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation - Bankruptcy.



The *Chambers USA* 2023 survey of the American legal profession cites **DUANE MORRIS' BANKRUPTCY**



PRACTICE and singles out its attorneys for their knowledge and experience. Chambers writes that the team is known for its "[d]istinguished practice handling high-profile Chapter 11 bankruptcy proceedings and major restructurings. Practitioners have considerable experience in cross-jurisdictional insolvency work and creditors' rights matters. Clients report: "They are well prepared and timely. They provide excellent practical advice in a very complex area of the law." "Their knowledge of bankruptcy and security law is beyond reproach. They understand each and every case intimately and communicate very well."

REPRESENTATIVE MATTERS

- ▶ Representation of special servicers in pursuit of remedies in more than **\$2 BILLION** of commercial mortgage real estate loans, including foreclosure proceedings in over 30 states, deeds in lieu of foreclosure and bankruptcy proceedings.
- ▶ Act as regional outside counsel for special servicer client in **17 STATES**, including the western region of the United States. Primary responsibilities include overseeing and managing active litigation, loan workouts and foreclosures.
- ▶ Representation of **WELLS FARGO BANK, N.A.** and **BERKADIA COMMERCIAL MORTGAGE, LLC**, in Contra Costa County Superior Court, in a multimillion-dollar lawsuit stemming from claims of retaliatory eviction and habitability following Wells Fargo's successful foreclosure on an apartment complex in Pittsburg, California. Successfully negotiated a favorable settlement that required financial contributions from neither client.
- ▶ Representation of Capmark Bank in a bankruptcy proceeding in the U.S. Bankruptcy Court for the District of Colorado. Capmark had a **\$30 MILLION** claim against the main asset in the debtor's estate. The court confirmed the Chapter 11 plan of reorganization submitted by Capmark over two competing plans.
- ▶ Lease guaranty suit on behalf of largest CMBS special servicer against large Mexican department store holding company, **UTILIZING ATTORNEYS IN CALIFORNIA AND MEXICO CITY**.
- ▶ Representation of the special servicer in the **\$10 MILLION** foreclosure of a **CROWNE PLAZA HOTEL** in Williamsburg, Virginia, including transfer of the state liquor license.
- ▶ Representation of the special servicer in proceedings in Orange County Superior Court arising from Maguire Properties' default on a **\$120 MILLION** loan.
- ▶ Representation of the special servicer in a **\$30 MILLION** loan default and receivership action in the San Diego Superior Court.
- ▶ Litigate issues concerning alleged fraud and wrongdoing related to collateralized mortgage-backed securities on behalf of special servicers and other holders of marketable debt instruments.
- ▶ Representation of a lender in negotiation of forbearance and modification agreements relating to loans of **\$122 MILLION** and intercreditor and co-lender agreements for B-notes and mezzanine debt.
- ▶ Representation of a lender in complex foreclosure and receivership proceedings in the receiver's sale of the office buildings' collateral for approximately **\$211 MILLION**.
- ▶ Representation of a lender in complex foreclosure proceedings, including the negotiation and documentation of sale of multiple notes secured by commercial real property for **\$127 MILLION**.
- ▶ Represented **TORCHLIGHT INVESTORS**, a special servicer acting on behalf of the noteholder for the Shockoe-Cary Building, located in Richmond, Virginia, in a successful foreclosure auction bid.

- ▶ Counsel to lender and special servicer in Chapter 11 of an **ICONIC BOUTIQUE HOTEL** of historical significance located in the Art Deco District of Miami Beach.
- ▶ Representation of a special servicer in a **\$60 MILLION** lawsuit brought by a disgruntled junior participant involving the interpretation and application of the servicing standard to the timing of foreclosure and sale of an underlying property.
- ▶ Represented special servicers and master servicers in over **\$1 BILLION** of defaulted commercial mortgage loans in more than 30 states.

OFFICE LOCATIONS & REACH



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- > Also satellite offices, including Bangor and Portland, Maine; and Seattle, Washington
- > Alliances in Mexico
- > Leadership position with international network of independent law firms

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