

Business Restructuring and Insolvency: MOVE Sectors

What's happening

- The supply chain is stressed.
- Industry-wide disruption and CapEx requirements to keep pace.
- Leverage ratios have increased significantly.
- Inflation and increased capital costs.
- Some companies are financially challenged. More will be.

Why

- Technological Transformation: to EVs and software-based systems.
- Geopolitical and macroeconomic challenges.
- Scale, cost and resiliency issues.

Why it matters

- Financial challenges increase business risk.
- Ripple effect of industry participant distress.

How we can help

- Help companies under stress meet those challenges proactively.
- Prepare for and deal with counterparty distress.
- Address crisis when it occurs.

What we do

Restructuring Plans

- Chapter 11 plans (US)
- Schemes of arrangement, CVAs and restructuring plans (UK)
- Restructuring plans under StaRUG, debtor-in-possession and insolvency plan proceedings (Germany)
- WHOA (Netherlands)
- Other/cross-border insolvencies/recognition proceedings

Supply Chain Management

- Contingency planning
- Access and accommodation agreements
- Joint ventures
- Trust and escrow arrangements
- SPV/bankruptcy remoteness/structuring

Distressed M&A

- Asset or share sales or acquisitions (in-court and out-of-court)
- Carve-outs and mergers
- OpCo/PropCo separations, sale-leasebacks and true sales
- Risk mitigation advice for distressed acquisitions

Workouts and Out-of-Court Restructurings

- "Liability management" and utilizing debt covenant flexibility/loopholes
- Debt-for-equity swaps/exchange offers
- "Stapled" pre-packaged plans
- Restructuring support agreements
- Equity capital injection/subordination agreements

Reduction of Staff

Distressed Company Litigation and Risk Management