

Finance

Partnering with financial institutions and businesses across the country, Polsinelli is recognized nationally for providing insightful and practical counsel to clients regarding all aspects of debt and equity financing. Our Finance practice teams represent lenders, borrowers, issuers, servicers, investors and related parties during all phases of the finance relationship, ranging from loan origination, servicing, sales and securitizations to financial restructuring, workouts, loan enforcement and bankruptcy. Our lawyers are ferociously dedicated to resolving problems quickly, efficiently and creatively in a way that aligns with a client's broader business goals.

Polsinelli's finance practices have extensive experience across multiple disciplines, helping lenders, borrowers, issuers, investors, debtors, creditors, and master and special servicers to meet their debt financing needs. Our team connects clients to the regional, national and international financial markets and products that meet their unique business goals. Transactions documented and closed by our attorneys include:

- Asset-Based Lending
- Commercial Real Estate Loans – CMBS Conduit Loans, Bridge Loans and Construction Loans
- Derivative Transactions
- Loan Restructurings, Workouts, Enforcement Actions, Bankruptcy and Business Reorganization
- Loan Sales and Purchases and Other Portfolio Transactions
- Loan Syndications, Participations and Other Lending Arrangements
- Mezzanine Financing
- Private Credit and Private Debt
- Securitization and Structured Finance, including CRE CLOs
- Strategic Alliances and Joint Ventures
- Tax Credits and Incentives
- Venture Capital Financing Involving Financial Services Companies
- Warehouse and Repurchase Loan Facilities

Matters

- Represented a lender in a \$51 million mortgage secured by 31 single tenant properties in Illinois and Indiana.
- Represented a lender in a \$196 million mortgage loan secured by an office building in Washington, D.C.
- Represented a lender in a \$95 million mortgage loan secured by a portfolio of 29 self-storage facilities in nine states.
- Represented a lender in a \$106 million mortgage loan secured by an office and retail facility in Florida.

- Representation of a \$24 million senior preferred equity investment in a limited liability company owning a 535-unit apartment complex located in San Diego, California.
- Represented a lender in \$19 million mezzanine financing secured by the membership interests in a limited liability company owning an office/data processing facility located in Phoenix, Arizona, credit tenant leased to a global financial services company.
- Representation of a \$9.3 million senior preferred equity investment in a limited liability company owning two residential apartments buildings located in Midtown Manhattan.
- Represented a lender in a \$15 million mezzanine financing facility secured by the membership interests in a limited liability company owning five retail properties acquired in a sale-leaseback transaction.
- Represented a mortgage and mezzanine lender in a \$53 million construction loan for conversion from an office to multi-family unit in Chicago.
- Represented a lender in a \$10 million mezzanine financing secured by the membership interests in a limited liability company owning an 85,000 square foot office condominium unit located within a major New York City landmark.
- Represented a mortgage and mezzanine lender for a \$33.95 million construction/conversion of boutique hotel, mortgage and mezzanine loan as well as A/B component in Portland, Oregon.
- Representation of a \$34 million combined mortgage and mezzanine loan with preferred equity component multi-property flex building portfolio.
- Representation of lender in \$258 million loan secured by portfolio of office, retail, and self-storage properties located in eight states.
- Represented a national bank on a \$80.5 million loan secured by 278,133 sq. ft. medical office building located in Bronx, New York.
- Represented a private commercial real estate finance company on a \$6.15 million mezzanine financing construction facility secured by the membership interests in a limited liability company owning a to be built 327 unit Class A apartment complex located in Houston, Texas; \$9 million mezzanine financing construction facility secured by the membership interests in a limited liability company owning a to be built a 318 unit apartment complex located in Fort Worth, Texas; and a \$8.25 million mezzanine financing construction facility secured by the membership interests in a limited liability company owning a to be built a 120 unit apartment complex located in Denver, Colorado.
- Represented the servicer in loan and intercreditor agreement modifications of \$295 million in mortgage and mezzanine loans secured by a portfolio of 7 hospitality properties.
- Closed a series of loans by a CMBS lender to a national hospitality REIT involving \$110 million principal amount secured by 11 properties in seven states.
- Represented the servicer in a combined \$209 million defeasance involving multiple loans held in several different securitized loan pools.
- Closed a \$26.5 million loan for a bridge lender secured by a North Carolina office park.
- Represented the preferred equity provider and mezzanine lender in connection with multiple construction loans.
- Represented a group of lenders in connection with multiple modifications of a \$1 billion plus loan structure involving eight separate loans secured by close to 200 individual properties.
- Represented a CMBS lender in closing a \$60 million loan on a retail center in Virginia.
- Represented mortgage and mezzanine lenders closing combined loan amounts of \$38 million secured by a New York City hotel.
- Preferred equity provider's counsel in connection with the origination of a \$15 million senior preferred equity investment in a limited liability company acquiring 14 residential apartment buildings containing over 3,500 units located in Arizona, Texas, Oklahoma, Nevada, Maryland, Florida and Virginia subject to a \$140 million restructured senior credit facility.
- Closed \$44 million loan secured by regional mall in South Carolina.
- Represented the servicer in the assumption of a portfolio of 5 loans secured by student housing projects in three states, with modification of all loan documents to accommodate joint venture structure involving US and Canadian REITS.
- Although the primary focus is lender representation, we also represent borrowers in loan transactions, including the recent representation of a borrower in obtaining loan secured by multiple properties located in Chicago.

- Closed a \$20 million loan for a balance sheet lender secured by seven industrial properties located in Michigan and Illinois.
- Represented the servicer in multiple modifications of \$150 million loan secured by an office building in Mexico City.
- Closed a \$75 million transaction secured by various hotel franchises, including multiple properties across multiple states.
- Closed 16-property multi-state transaction secured by multiple office parks.
- Closed an eight-property multi-state transaction secured by the multiple apartment complexes.
- Closed a preferred equity transaction in connection with a construction project in California.
- Closed a multi-advance loan for purposes of land acquisition transaction to be developed for residential subdivisions.
- Assisted client with implementation of a mezzanine program in order to provide mezzanine loans to borrowers in addition to the senior mortgages being provided by the client.

Publications

December 19, 2023

Structuring Preferred Equity Investments in Real Estate Ventures: Impact of True Equity vs. Debt-Like Equity: Negotiating Deal Terms, Investor Return, Change in Control Provisions

Presenter, Strafford CLE

November 29, 2023

The 'wait and see' approach: Why Nashville banks are cautious on commercial lending

Quoted, Nashville Business Journal

November 27, 2023

Office Landlords Increasing Pace Of Handing Properties Back To Lenders

Quoted, BisNow

November 26, 2023

More Office Building Landlords Are Giving Properties Back to Lenders

Quoted, CoStar News

November 15, 2023

Celsius Bankruptcy Transformation Depends on SEC's Blessing

Quoted, Bloomberg Law

September 6, 2023

Federal Appeals Court Reaffirms That Syndicated Loans Are Not Securities

April 2018

How FinTech Could Reboot LIBOR

June 2017

Special Report Reveals Outcomes in Single Asset Real Estate Chapter 11 Cases

March 16, 2016

Fiduciary Duties Owed by Boards of Directors to Both Solvent and Insolvent Companies