POLSINELLI

Fund Finance

Polsinelli's Fund Finance team helps lenders, private fund sponsors and other market participants structure financing that holds up under pressure, not just at closing. With experience advising on transactions totaling several billion dollars in aggregate principal, we structure, negotiate and execute fund finance transactions built to perform across market cycles and evolving portfolio needs.

Our attorneys work with financial institutions and sponsor-borrowers on both fund-level and asset-based financing, bringing a dual perspective that shapes how we structure deals and negotiate outcomes. We regularly handle a wide range of products, including subscription (capital call) facilities, net asset value (NAV) based facilities, fund level asset-based lending (ABL) facilities and hybrid structures across private equity, private credit, real estate and hedge fund strategies.

Core Fund Finance Capabilities:

- Borrowing base mechanics, eligibility criteria and advance rate frameworks tied to diverse asset classes
- Asset and collateral carve-outs, including negotiating exclusion, inclusion and release mechanics
- Multi-jurisdictional collateral packages and cross-border structuring considerations, including Cayman Island subsidiary and feeder structures
- Intercreditor arrangements, lien priority issues and structurally senior or competing creditor positions
- Facilities involving complex or layered fund structures, including feeder funds, parallel funds and alternative investment vehicles
- Amendments, restructurings and workouts of fund finance facilities, including covenant resets and borrowing base adjustments
- Collateral deficiencies, limited partner consent rights, eligibility disputes and liquidity constraints in stressed or evolving situations
- Bespoke and non-standard transactions involving hybrid collateral pools, unique asset classes and tailored financing solutions
- Senior and mezzanine financing transactions for lenders and borrowers in the SBIC space
- Capital call bridge lines of credit for SBIC lenders and borrowers