



# Commercial Lending and Real Estate

Chapman and Cutler's Commercial Lending and Real Estate Group represents a variety of state and federally chartered financial institutions, commercial finance companies, and U.S. branch offices of banks chartered in Canada, Japan, France, the Netherlands, and Germany.

We regularly handle secured and unsecured credit facilities ranging from single-lender to secured, syndicated credit facilities. The firm is frequently retained to counsel clients in the areas of asset-based lending, agribusiness lending, and leveraged buyout financing. We represent lenders and investors in various real estate transactions, including mortgage financings, construction loans, credit tenant lease transactions, project financings, acquisitions and dispositions of real estate assets, and a variety of other real estate related transactions. Such transactions have involved types of real estate assets including multifamily housing projects, hotels, office buildings, manufacturing facilities, industrial warehouses, cogeneration facilities, student housing, and retail centers.

In addition, we have represented both lenders and borrowers in connection with senior secured facilities to provide equity funds secured by the capital commitments to the fund. These facilities span across a wide variety of fund types, including real estate, energy, and infrastructure with entities domiciled both on and offshore. We advise on all aspects of such transactions, from structuring to managing relationships, with a diverse array of investors in such funds, including institutional, governmental, and foreign investors.

We work with clients through all phases of the lending process, from the initial structuring through the negotiation of commitments, drafting and negotiation of loan documents, and closing. Our practice group attorneys bring substantial experience to debt restructurings and workouts, both inside and outside of bankruptcy.

## Attorneys

Anna M. Anderson  
Daniel W. Baker  
William J. Carpenter  
Kimberly K. Enders  
Stephanie An Glantz  
Cari Grieb  
Melanie Haywood  
R. William Hunter  
Olu "Ish" Ishmael  
Ildiko Jona  
Michelle S. Kesner  
Sarah C. Kessler  
Jonathan Kirschmeier  
Gregory A. Klamrzynski  
Nicole C. Krol  
Gabriel Lara  
Shuqing Li  
Robert E. Lockner  
James F. Lucarello  
Sean T. Maloney  
David "Ari" Marzban  
Barbara S. Meeks  
Michael W. Myones  
Evangeline Nketia  
Mark R. O'Meara  
Nathan H.B. Odem  
Clara J. Pauw  
Christopher A. Pellegrini

## Representative Transactions

- Represented the agent lender in a \$50 million acquisition financing of a California winery secured by vineyard real estate and operating assets.
- Represented the lender in an \$11.3 million, three-year secured acquisition credit facility of a processor and distributor of ethnic food products. This transaction included negotiating an intercreditor agreement with the mezzanine lender involving the subordination of its claims as well as its junior liens on the assets of the borrower to the senior debt and liens.
- Represented the agent lender in an \$80 million loan facility to a processor of beef secured by real estate in multiple jurisdictions as well as operating assets.
- Represented the agent bank in a \$210 million revolving credit facility for a grocery wholesale company secured by the working capital assets of the borrower and its subsidiaries.
- Represented the agent bank in restructuring a \$325 million revolving credit and term loan facility secured by all real and personal property of a biogenetic company and certain of its subsidiaries, including stock of foreign subsidiaries and intellectual property in various South American and European countries.
- Represented the agent bank in a \$130 million synthetic lease to a California wine company for vineyard acquisition and development and a \$25 million synthetic lease for a wine distribution center.
- Represented the agent bank in an \$80 million revolving credit and term loan facility for an international processor secured by substantially all real and personal property of the borrower and its subsidiaries in the United States, Australia, and New Zealand.
- Represented the agent bank in a \$50 million, three-year secured revolving credit deal (asset-based/dominion of funds basis) to refinance the indebtedness of a West Coast agricultural firm. The capital structure included a separate second-lien term loan.
- Represented the agent bank in a \$140 million unsecured revolving credit facility for a West Coast chemical company.
- Represented the agent bank in a \$130 million revolving credit facility for a sugar processor secured by substantially all personal property of the borrower and its subsidiaries.
- Represented the agent bank in a \$110 million revolving credit facility for a healthcare REIT.

Kathryn Redmond  
Meghann Salamasick  
Carol Thompson

### Staff

Michelle A. Covert

### Areas Of Concentration

Agribusiness Lending  
Asset-Based Lending  
Commercial Lending  
Derivative Transactions  
Ex-Im Bank Financing  
Lending to Private Equity Firms  
Letters of Credit/Bankers Acceptances  
Loan Syndications and Trading/Syndicated Credits  
Public and Institutional Banking & Finance  
Real Estate Investment Trusts (REITs)  
Regulatory Capital Notes  
Senior Lending

### Related Practices

Banking and Financial Services  
Commercial Foreclosure and Real Estate Litigation  
Fintech and Marketplace Lending

- Represented the agent bank in a \$55 million revolving credit facility for a residential homebuilder.
- Represented the agent bank in a \$450 million revolving credit facility for a hospitality REIT.
- Represented the agent bank in a \$25 million revolving letter of credit facility for a diversified REIT.
- Represented agent banks, syndicate banks, and borrowers in approximately 100 revolving credit facilities secured by capital commitments of investors.