

Simone Tatsch

PARTNER

New York

212.655.2549

tatsch@chapman.com



Simone Tatsch is a partner in Chapman's Asset Securitization Department and Co-Office Leader of the firm's New York office. Simone is primarily focused on representing investment banks and private equity firms in warehouse lending facilities as well as non-bank alternative lenders, including hedge funds and specialty lending desks in middle market lending transactions. She advises clients on various asset classes, including secured and unsecured consumer and business loans, solar and other home improvement loans, single family rentals, rent-to-own properties, and mortgage financing. She also represents clients in connection with a variety of direct lending transactions, including first and second lien debt financings, mezzanine loans, debtor-in-possession and exit facilities and investments in syndicated loans in the secondary market. In addition, Simone helps clients in financial restructurings of distressed companies and lenders in connection with the exercise of remedies to achieve business-oriented restructuring solutions.

Drawing on her broad legal experience as a litigator and corporate attorney in Brazil, Simone has also represented American and Brazilian clients in order to bridge the legal and cultural gap between Brazil and the US, and to provide such clients with the necessary assistance.

Prior to joining Chapman, Simone also worked as in-house counsel at Microsoft in Brazil and was a partner with Martins-Costa e Tatsch Advocacia, a firm she co-founded.

Representative Matters

- Represented an investment bank, as lender and agent, in a \$600 million warehouse financing with a mezzanine component to finance the acquisition of iBuyer residential homes

Admitted

New York

Brazil

Education

Columbia University School of Law, LL.M., 2007

University of Sao Paulo, Ph.D., Trade Regulation, 2005

Federal University of Rio Grande do Sul, J.D., *magna cum laude*, 1999

Practice Focus

Asset Securitization

Banking and Financial Services

Commercial Lending

Distressed Investing

Fintech and Marketplace Lending

Restructuring and Bankruptcy

Senior Lending

Special Situation Lending

Special Situations and Restructuring

- Represented Clairvest Group Inc., Clairvest Equity Partners VI, and Rubico Gaming LLC in a financing of the Delaware Park casino and racetrack in Wilmington, Delaware
- Represented an investment bank, as lender and agent, in a \$325 million senior secured warehouse lending facility related to solar loans
- Represented an investment bank, as lender and agent, in a \$75 million senior secured revolving loan to finance the acquisition of unsecured consumer loans
- Represented an investment bank, as lender and agent, in a \$100 million senior secured warehouse lending facility related to unsecured consumer loans
- Represented an investment bank, as lender and agent, in a \$270 million senior secured revolving loan with a mezzanine component related to installment consumer loans
- Represented a bank, as lender and agent, in a \$200 million senior secured warehouse revolving facility to finance the acquisition of home improvement loans
- Represented an investment bank, as lender and agent, in a \$200 million senior secured revolving loan related to rent-to-own single-family homes originated by a fintech platform
- Represented an investment bank, as lender and agent, in a \$150 million senior secured marketplace lending facility related to installment consumer loans
- Represented an investment bank, as lender and agent, in a \$300 million senior secured revolving loan related to single-family rental homes
- Represented an investment bank, as lender and agent, in a \$500 million senior secured revolving loan collateralized by a special unit of beneficial interests (SUBI) in a titling trust acquiring real estate properties
- Represented an investment bank, as lender and agent, in a \$150 million senior secured revolving loan related to single-family rental homes
- Represented an investment bank, as lender and agent, in a \$100 million senior secured revolving loan related to single-family rental homes
- Represented an investment bank, as lender and agent, in senior secured marketplace lending facilities with aggregate principal amounts of \$200 million and \$300 million, respectively, related to solar loans
- Represented a private equity fund, as lender and arranger, in a \$12 million senior secured term loan facility related to the acquisition and financing of a medical receivables company
- Represented a private equity fund, as lender and arranger, in a \$50 million senior secured revolving and term loan facility related to Canadian and US accounts receivable/factoring financing
- Represented an investment bank, as lender and agent, in a \$300 million senior secured marketplace lending facility related to solar loans
- Represented a bank, as lender and agent, in a \$100 million senior secured revolving facility related to consumer loans to finance the acquisition of solar panels
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to installment consumer loans

- Represented an investment bank, as lender and agent, in a \$95 million senior secured revolving loan related to single-family homes
- Represented a private equity company, as buyer and borrower, in a \$370 million project finance senior secured term and revolving loans related to the construction of a casino
- Represented a private equity fund, as lender, in a \$30 million senior secured term loan related to medical liens and pre-settlement claims
- Represented an investment bank, as lender and agent, in a \$69 million senior secured term loan related to single-family rental homes
- Represented a private investor, as buyer and borrower, in a \$92.5 million senior secured acquisition term loan related to the purchase of a casino
- Represented a private equity fund, as lender and agent, in a \$15 million senior secured revolving facility related to medical liens and pre-settlement claims
- Represented a private equity investment fund, as lender and agent, in a \$50 million senior secured term loan related to litigation financing
- Represented an investment bank, as lender and agent, in a \$150 million senior secured marketplace lending facility related to consumer loans to finance the acquisition of solar panels
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to unsecured consumer loans
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to consumer loans
- Represented a private investment fund, as lender and agent, in a \$30 million senior secured first lien revolving and term loan facility relating to a P2P platform
- Represented an investment bank, as lender and agent, in a \$150 million senior secured marketplace lending facility related to consumer loans
- Represented a Chinese fund, as lender, in a \$25 million senior secured marketplace lending facility related to consumer loans
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to commercial loans
- Represented a portfolio company of a private equity sponsor, as borrower, in a \$17 million secured term loan acquisition financing facility
- Represented an investment bank, as lender and agent, in a \$200 million senior secured marketplace lending facility related to consumer loans
- Represented a private investment fund, as lender and agent, in a \$10 million senior secured mezzanine loan
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to consumer loans

- Represented an investment bank, as lender and agent, in a \$300 million senior secured marketplace lending facility related to consumer loans
- Represented an investment bank, as lender and agent, in a \$100 million senior secured marketplace lending facility related to consumer loans
- Represented a portfolio company of a hedge fund, as borrower, in a \$75 million term loan refinancing secured by real estate properties
- Represented a portfolio company of a hedge fund, as borrower, in a \$52 million term loan refinancing secured by real estate properties
- Represented a bank, as agent and lender, in a \$275 million secured term loan acquisition financing facility
- Represented a portfolio company of a hedge fund, as borrower, in a \$58 million secured term loan refinancing
- Represented an investment bank, as lender, in a \$150 million senior secured marketplace lending facility related to consumer loans
- Represented a portfolio company of a hedge fund, as borrower, in a \$53 million secured term loan refinancing
- Represented a hedge fund, as lender and lead arranger, in a \$450 million project finance transaction
- Represented a hedge fund, as lender, in a \$40 million senior secured mezzanine loan
- Represented a portfolio company of a hedge fund, as borrower, in a \$39.5 million secured term loan facility
- Represented a portfolio company of a hedge fund, as borrower, in a \$52 million secured term loan facility
- Represented a hedge fund, as lender and purchaser, in a \$185 million aircraft acquisition financing
- Represented a private equity firm in connection with a \$17.5 million sale of intellectual property and other related assets*
- Represented a hedge fund, as borrower and purchaser, in a \$62 million merger and related first lien and second lien revolving and term loan facilities*
- Supervised all Microsoft intellectual property cases in Brazil, managing twenty-two outside counsel*
- Represented a Brazilian political party before the Brazilian Supreme Court and obtained a unanimous preliminary injunction suspending the application of two state statutes as per Brazilian constitutional procedure. The claim (Ação Direta de Inconstitucionalidade) challenged the constitutionality of two state statutes that prohibited governmental organizations and agencies from acquiring software other than through open source software license*
- Assisted in the representation of an international producer and marketer of food, agricultural, financial and industrial products and services before the Brazilian antitrust authorities (CADE) and represented the client before a state court in a case brought by a competitor seeking multimillion-dollar indemnification from such producer based on its refusal to deal with the competitor*

* Simone's prior experience includes the representation of clients in these matters.

Memberships

Ordem dos Advogados do Brasil

ACFA — The Association of Commercial Finance Attorneys, Inc.

Languages

Portuguese

Publications

March 20, 2023

New SEC Rule 192 on Conflict of Interest for ABS

- Co-Author, "For Lenders – Navigating Main Street Loan Considerations," *Client Alert*. July 7, 2020
- Co-Author, "Companies Are Using Covenants to Restructure Their Capital Structure and Prime Existing Debt — What Lenders and Debt Investors Need to Know," *Harvard Law School Bankruptcy Roundtable*. March 14, 2017
- Co-Author, "Companies Are Using Covenants to Restructure Their Capital Structure and Prime Existing Debt — What Lenders and Debt Investors Need to Know," *ACIC Private Notes*. March 2017
- Co-Author, "What You Need to Know about 'Unrestricted Covenants'," *Law360*. February 14, 2017
- Co-Author, "Leveraged Lending Guidelines, New Debt Structures and Pitfalls in Bankruptcy," *AIRA Journal*. Vol. 30 No. 2, 2016
- Co-Author, "Recent Challenges to Credit Bidding — A New Trend?," *Pratt's Journal of Bankruptcy Law*, July/August 2014

Notable Engagements



Canadian Consumer Loan Warehouse Financing

May 2022

Chapman served as lead counsel to a US investment bank, as agent and senior lender, in connection with a \$100+ million warehouse financing for an originator of consumer loans in Canada.



Acquisition and Financing of Delaware Park Casino and Racetrack

Chapman served as lead counsel to Clairvest Group Inc., Clairvest Equity Partners VI, and Rubico Gaming LLC in the acquisition and financing of the Delaware Park casino and racetrack in Wilmington, Delaware.



Marketplace Lending Facility for Solar Panels

July 2018

Chapman represented a US investment bank, as lender and agent, in a \$150 million senior secured marketplace lending facility in connection with consumer loans to finance the acquisition of solar panels.