

# Bankruptcy & Creditors' Rights

Cairncross & Hempelmann's Bankruptcy & Creditors' Rights practice stands apart as a recognized leader in the Pacific Northwest. Our team is renowned for its experience, expertise, and ability not only to react deftly to financial urgencies but also to prepare clients to avoid them altogether. Additionally, as part of a full-service law firm, we are able to assemble integrated, project-specific teams tapping into deep experience from other practice groups.

We represent creditors, including financial institutions, landlords, pension funds, small to mid-sized private lenders, as well as commercial debtors, creditors' committees, receivers, strategic buyers, and other companies and their owners from a wide range of industry groups.

## Bankruptcy

Our experienced insolvency attorneys are highly effective in representing and advising any stakeholder in bankruptcy proceedings, whether in Washington state or any other jurisdiction in the United States. We can also coordinate effective representation in most other countries with our professional networks.

## Commercial Bankruptcy

We are uniquely skilled in representing clients involved in or affected by chapter 11 cases. We take pride in our goal-focused approach, providing effective and creative problem solving with an eye toward obtaining the best solution to the challenges at hand; among other examples, we provide significant value to clients facing preferential transfer claims and other avoidance actions.

## State and Federal Receiverships

We are deeply embedded in the regional receivership practice. We routinely represent receivers, petitioning secured creditors, voluntary petitioners, and asset-purchasers in receivership actions throughout Washington state and Oregon. Our receivership experience is broad, encompassing, among others, the rehabilitation and/or sale of manufacturing plants, assisted living homes, fruit storage facilities, dairies, apartments, condominium and hospitality projects, distribution facilities, life-sciences biomedical research institutions, retail stores and distribution centers, and construction companies. This rich experience is reflected in our long-standing relationships with a number of highly-regarded Receivers.

## Distressed Mergers & Acquisitions

In assisting clients with the purchase or sale of assets in bankruptcies, receiverships, reorganizations, restructurings, workouts, or other distressed situation, our team embraces a collaborative approach. We work with corporate and real estate attorneys to advise clients and effectuate transactions involving the purchase and sale of distressed assets.

## Real Estate & Commercial Loan Workouts and Enforcement

We have extensive experience in representing lenders with all phases of distressed commercial loans – from loan file and portfolio analysis to collateral recovery and disposition, and involving all types of assets, including retail operations, franchises, manufacturing, suburban land developments, and multi-family and high-rise office and residential buildings. We have represented numerous lenders in negotiated restructurings, forbearance agreements, bankruptcies and foreclosures of distressed investments.

## Commercial Collections

Efficiently and aggressively, we assist clients with collecting on secured and unsecured debts, from open accounts, lease defaults and judgment collections to complex contract litigation. Our team is skilled in all phases of collections, from first contacts to monetizing judgments. We provide cost-effective ideas and staff actions in an effort to minimize costs and maximize results.

## Local Counsel

Our Bankruptcy and Creditors' Rights attorneys are experienced in acting as local counsel for out-of-state clients in the state and federal courts of Washington, Oregon, Alaska and California. Our [Litigation](#) group also provides local counsel representation. We have represented every category of stakeholder in all facets of commercial bankruptcy and state court receivership matters.

We firmly believe that knowledge of local practice and substantive law is critical to the outcome of a matter. Our practice brings that local expertise to clients and lead counsel, assisting with claim and case evaluation, pre-trial case strategy, venue and jurisdictional analyses. We can assist with strategic considerations regarding the choice of a receivership, bankruptcy, Article 9 sale or out-of-court sale or winddown.

We are skilled in procedural issues, including challenges involving jurisdiction or venue, removal petitions, abstention motions, motions to remand and motions to dismiss.

We will evaluate, provide input and participate in the preparation of pleadings and other submissions, coordinate local experts, conduct or assist in discovery, assemble evidentiary submissions and make all requisite or requested court appearances.

We also have significant experience mediating cases and can recommend neutrals appropriate for a particular client dispute.

### ***Pro Hac Vice Admission Requirements***

The following courts have Pro Hac Vice admission requirements. The current status of all applicable rules should be reviewed for any updates or amendments.

#### **Bankruptcy Courts:**

- [Western District of Washington \(also applicable to Federal Receiverships\): Local Civil Rule 83.1](#)
- [Eastern District of Washington: Local Rule 9010-1](#)
- [Oregon: Local Rule 9010-1\(2\)\(c\)](#)
- [Alaska: Local Rule 9010-2](#)
- [Northern District of California](#)
- [Central District of California, Bankruptcy Court](#)

- [Southern District of California](#)

**State Receiverships:**

- [Washington: APR-8](#)
- [Oregon: UTCR 3.170](#)