

SPECIAL SITUATION FINANCING

FLEXIBLE INNOVATIVE FINANCIAL STRUCTURES.

There has been a growing trend for alternative capital and special situations funds, lending and or equity provided by private equity funds, hedge funds, special situations funds in private bespoke transactions, in the market in recent years.

Our teams have deep experience in special situations financing transactions. We act for various special situations funds, investment banks and borrowers in relation to structuring, negotiating and executing alternative financing transactions. Our seamless special situations practice is adept at developing bespoke capital solutions spanning the spectrum of debt and equity so as to tailor innovative solutions for the needs of individual lenders and borrowers.

We support clients beyond providing legal advice, acting as trusted advisers with a deep understanding of the individual commercial needs of each client business. We are quick to react to changing commercial demands and business drivers and provide timely, robust and commercial advice, allowing our clients to make better decisions, more quickly.

Our teams bring to bear extensive experience of a wide range of a debt and equity investment techniques, restructuring and insolvency transactions and contentious angles to the transactions on which we act. We have particularly strong experience in the financial, commodities, and mining sectors.

RECENT EXPERIENCE

DEUTSCHE BANK

Advising Deutsche Bank on the secured financing to Sankaty of its acquisition of an approx. \$660 million loan portfolio from Lloyds Banking Group

SEVEN GROUP HOLDINGS

Advising in respect of its acquisition of the senior loans and bonds in connection with the restructuring of Nexus Energy

CLARENDON PORTFOLIO

Advising a consortium comprised of Deutsche Bank, KKR and Varde Partners on the financing of their circa \$6.2 billion acquisition of GE's Australian and New Zealand consumer finance business (new re-branded Latitude Financial Services). The financing arrangements included 6 warehouse securitisations of consumer finance receivables, including Australia's first rated credit card receivables securitisation programme

IMDEX

Advising in connection with the refinancing and structuring of its \$54 million senior debt facilities, involving a debt trade from Imdex's existing lenders to affiliates of Sankaty Advisors, LP, the restructuring of the facilities into a new syndicated facility and issuance of warrants to the refinancing lenders

OUR PEOPLE



PAUL APÁTHY
PARTNER, SYDNEY

+61 2 9225 5097
paul.apathy@hsf.com