

## Charles A. Guerin



### Overview

Shareholder [Dallas](#)  
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#### Education

J.D. from University of Houston Law Center  
B. Arch. from University of Houston

#### Bar Admissions

New York  
Texas

#### Related Practices

Finance  
Asset-Based Lending  
Distressed Debt  
Mezzanine Lending

#### Related Industries

Financial Services  
Construction  
Energy  
Hospitality  
Manufacturing  
Real Estate  
Retail

Charles has more than 30 years of legal experience in commercial and industrial, energy and real estate financings and asset acquisitions and dispositions.

He represents lenders, borrowers and investors in senior and subordinate syndicated and non-syndicated transactions, revolving lines of credit, asset based lending, mezzanine financing, mortgage loan warehousing, loan participations, loan defaults, workouts and restructures and construction and term finance, management, leasing and purchases and sales, including for retail, office, industrial, condominium, hotel, multifamily and land development projects.

Prior to joining the Firm, Charles worked in the energy, finance and real estate section of an international law firm; as Assistant General Counsel of Bank of America, N.A., where he established the banks national construction loan syndication and participation forms and real estate terms for corporate lines of credit to large real estate companies; and as Associate General Counsel with a real estate developer where he worked on leasing, building management, purchase, finance and sale matters.

## Achievements

*Martindale-Hubbell*® AV Preeminent®, Peer Review Rated™

*Thomson Reuters* – Texas Super Lawyers (2003-2008, 2011-2018); Texas Super Lawyers, Corporate Counsel Edition (2009)

*Woodward/White, Inc.* – Best Lawyers in America, Texas' Best Lawyers, Banking and Finance Law (2013-2020)

## Memberships

American College of Mortgage Attorneys

Dallas Bar Association

New York State Bar Association

State Bar of Texas

## Experience

### Lender Representation

Represented a national bank as lender in two loans, the first a \$1 MM direct revolving credit operational loan to one of Dallas' preeminent charitable organizations, and the second a tax driven restructure of \$34 MM of additional debt to the bank from the charitable organization via two loans to a finance corporation, which were secured by loans from the bank to the charitable organization, which loans were sold by the bank to the finance corporation, and then simultaneously amended and restated and collaterally pledged to the bank to secure its loans to the finance corporation. Munsch Hardt structured the transaction which converted short term, taxable debt into long term, lower rate, non-taxable debt, benefitting the charity while preserving the bank's original collateral.

### Lender Representation

Represented a financial holding company in a \$31 MM syndicated loan to refinance the completed Phase I and finance the construction of Phase II of a total 308-unit, multifamily project.

### Borrower Representation

Represented a developer in a \$94 MM first lien construction loan and \$65 MM subordinate mezzanine loan for the for the development of a downtown 18-story, 500,000 square feet office building and 20,000 square feet of premium restaurant space.

**Borrower Representation**

Represented a U.S. subsidiary of a South Korean manufacturer in a \$20 MM revolving credit loan for acquisition of inventory and general corporate purposes, including financial covenant terms and subordination agreement - comfort letter from the parent.

**Borrower Representation**

Represented a food production company that had lost a major supplier and purchaser, in the workout and repayment of a \$7 MM asset based loan, including proposals to reduce loan size and unused fees, to reduce penalties for early prepayment and to settle with private lenders and investors.

**Lender Representation**

Represented a private lender in the workout and restructure of a \$21 MM land development and an \$8 MM hotel loan, including, analysis of documents and recommendations to improve collateral position, analysis and recommendations on pre-negotiation agreements, forbearance agreements, property tax financing, franchise agreement rights and foreclosure preparations, and preparation of default letters and modification agreements.

**Borrower Representation**

Represented a commercial real estate services company as the borrower of a \$15 MM construction loan for an office building. Munsch Hardt also represented the borrower in the purchase of the property and organization of the borrower, including tax and partnership issues.

**Lender Representation**

Represented the proprietary debt and equity banking arm of a comprehensive capital provider in a \$34 MM senior financing for the development of a senior and assisted living project, involving an A/B Note syndication, as well as intercreditor agreements with an EB-5 mezzanine lender, and an EB-5 mezzanine bridge lender.

**Borrower Representation**

Represented a steel tank company in connection with legal opinions on qualifications to do business in Texas, enforceability of loan documents governed by Texas law, recording of deed of trust as notice of real property lien, and filing of uniform commercial code financing statement as perfection of personal property security interest, in connection with \$10 MM aggregate revolving credit, term and bridge loans, and a subsequent restructure involving the amendment, restatement and increase of \$13 MM aggregate revolving and term loans.

### Lender Representation

Represented an out-of-state insurance company in evaluating and revising loan documents for compliance with Texas law, and evaluation of individual loan transaction document changes for compliance with Texas law.

## Newsroom

**Press Release:** Twenty-Seven Munsch Hardt Attorneys Honored as '2020 Best Lawyers in America'

**Press Release:** Seventeen Munsch Hardt Attorneys Included on 2018 Texas Super Lawyers List

**Press Release:** Twenty-One Munsch Hardt Attorneys Recognized as 2019 "Best Lawyers in America"

**Article:** Negotiating Interest Rate Provisions As Libor Demise Looms

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 2017 Texas Super Lawyers

**Press Release:** Twenty Munsch Hardt Attorneys Honored as '2018 Best Lawyers in America'

**Press Release:** Munsch Hardt Congratulates its 14 Texas Super Lawyers

**Press Release:** Twenty-Two Munsch Hardt Attorneys Recognized as 2017 Best Lawyers in America

**Press Release:** Thirteen Munsch Hardt Attorneys Recognized as 2015 Texas Super Lawyers

**Press Release:** Seventeen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2016'

**Press Release:** Munsch Hardt Attorneys Recognized as 2014 Super Lawyers

**Press Release:** Nineteen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2015'

**Press Release:** Munsch Hardt Attorneys Selected As 2013 Super Lawyers

**Press Release:** Best Lawyers 2014 Recognizes Munsch Hardt Attorneys

**Press Release:** U.S. News Best Lawyers Recognizes Munsch Hardt Attorneys as Texas' Best

**Press Release:** U.S. News - Best Lawyers Recognizes Munsch Hardt Attorneys

**Press Release:** Munsch Hardt Attorneys Recognized by Thomson Reuters Super Lawyers 2012

**Press Release:** Eleven Munsch Hardt Attorneys Designated Super Lawyers

**Article:** Real Estate Loan Documentation/Workout Lessons Learned from the Economic Downturn

**Article:** How to File an Electronic Bankruptcy Proof of Claim

**Press Release:** Munsch Hardt Shareholder Added to Dallas Office

**Newsletter:** Client Alert: Hope for Foreclosing Lenders with Subcontractor's Liens in Texas

**Article:** Thinking of Taking a Letter of Credit As Additional Collateral in That Workout? Think Again!

**Article:** The Top 11 Things About Syndicated Loans That May Surprise You

**Article:** Construction Loan Syndication and Participation Issues