

# Finance

## Overview

When clients partner with Munsch Hardt, they partner with some of the best and most experienced Finance attorneys in the industry. In fact, there are few law firms in the southwest involved in as many complex lending transactions as Munsch Hardt.

With experience in a full range of deal structures, our lawyers quickly grasp the basics of a financing transaction, develop the most cost-effective approach and resolve obstacles along the way. We advise international, national and regional banks, venture capital groups, investors and other financial institutions as lenders, issuers, underwriters, credit enhancers and servicers, and have a proven ability to handle complex, innovative transactions, as well as the routine transactions where controlling cost is essential. In tandem with our Insolvency and Litigation attorneys, we often handle restructuring and workout aspects of troubled loans and the representation of creditors in bankruptcy proceedings.

On the borrower side, we manage all parts of the debt capital structure for companies active in a wide range of business sectors (including energy and utilities, real estate, hospitality, manufacturing, technology, transportation, aviation and health care) in securing on and off-balance sheet loans, recapitalizations and credit facilities.

Our Firm has the ability to assist with unique client needs, such as:

- Asset-Based Lending
- Banking Regulations
- Commercial Lending
- Consumer Finance
- Distressed Debt
- Electronic Payment Processing
- Factoring
- Financial Litigation
- Mezzanine Lending
- Project Finance & Infrastructure
- Real Estate Financing
- Reserve-Based Lending
- Securitizations
- Swap Agreements
- Workouts

For our clients in regulated financial services businesses, we also provide advice on matters of local, state and federal tax and regulatory compliance, including licensing, interpretation and application of consumer finance laws, privacy, data security and breach laws, identity theft, and disclosure issues.

## Why We're Different

As advisers on transactional projects, our attorneys routinely work with clients to handle the documentation and negotiation of loans, as well as all aspects of lender due diligence to evaluate risks and balance business, operational and legal needs. Our ability to close deals is strengthened by access to the Firm's full resources in tax, securities, bankruptcy, real estate, environmental and corporate law.

We are focused on helping our clients close transactions in an efficient and timely manner, while carefully safeguarding their interests and their long-term relationships. No matter how routine or sophisticated your transaction may be, Munsch Hardt's senior lawyers will take the lead and personally guide you through every step of the process, bringing in associates and paralegals on an as-needed basis. While our rate structure is more reasonable than larger firms, having senior talent at the helm to streamline every transaction creates additional cost-efficiencies you won't find elsewhere.

Finally, Munsch Hardt's Financial Services team is led by seasoned lawyers who have empowered clients to aggressively expand during booming markets, and also stood side-by-side with them to weather the storm through recessions. When clients need us, we respond quickly with powerful results regardless of the market's condition.

## Experience

### Agent Representation

Represented the administrative agent to a syndicate of 28 lenders in a \$4 B reserve based revolving credit facility to a public E&P company including a mechanism to take the facility unsecured upon the company achieving investment grade.

### Energy Lender Representation

When affiliates of a leading energy provider completed a series of transactions that resulted in the sale of an investment, Munsch Hardt was involved in the negotiation and documentation of the transactions on behalf of an agent bank representing 19 European commercial banks, which had extended an approximate \$1.2 B construction loan. The transactions were bifurcated into an initial transfer of ownership and subsequently operational control to a special purpose entity beneficial owned by affiliates of such construction loan lenders.

### Lender Representation

Representing an international bank in its capacity as Administrative Agent and Collateral Agent to a lending syndicate under a \$70 MM credit extension to a producer of cane raw sugar and certain by-product that filed for Brazilian reorganization.

### Borrower Representation

Representing a private E&P company with respect to documentation and negotiation of its \$200 MM syndicated reserve-based revolving credit facility.

### Lender Representation

Represented an international bank as Agent for the Senior Lenders and Hedging Banks (who collectively hold more than \$1.2 B in claims) in the Chapter 11 case of a public-private partnership formed to construct a major U.S. toll road, and serving as local bankruptcy counsel for the steering committee of which the Bank is the chair.

## Debtor Representation

Represented the debtor, the largest seller of organic cotton worldwide, in its Chapter 11 bankruptcy filing and \$450 MM rescue loan.

## Practice Leaders



**Charles Guerin**

Dallas  
214.855.7538  
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**Jeffrey Dunn**

Dallas  
214.855.7588  
[jdunn@munsch.com](mailto:jdunn@munsch.com)

## Related People

Josh Botts  
Walter Buchanan  
John Cornwell  
Jeffrey Dunn  
Michael Franklin  
Charles Guerin  
Angela Hunt  
Mark Kopidlansky  
Jay Ong  
David Roth  
Alexandra Treadgold  
Glenn Valentine  
Adrienne Wall

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W. Phillip Whitcomb

## Related Practices

Finance  
Electronic Payment Systems  
Asset-Based Lending  
Consumer Finance  
Reserve-Based Lending  
Mezzanine Lending  
Distressed Debt  
Real Estate Finance

## Related Industries

Admiralty & Maritime  
Financial Services  
Construction  
Energy  
Health Care  
Hospitality  
Manufacturing  
Real Estate  
Transportation

## Achievements

*Best Lawyers*® “Best Law Firms”, published by *Woodward/White, Inc.* – Banking and Finance Law, Metropolitan Tier Ranking (2011-2024)

## Newsroom

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**Press Release:** Best Lawyers® Names Munsch Hardt to 2024 “Best Law Firms” in America List

**In The News:** When PPP Loans Aren't Forgiven, Some Borrowers Are Heading to Court

**Press Release:** Munsch Hardt Real Estate Team Assists with Acquisition of a 45 Hotel Property Portfolio

**Press Release:** Munsch Hardt Ranks Among Nation's Top Firms in 2023 “Best Law Firms” List by U.S. News - Best Lawyers®

**In The News:** \$10 Million PPP Loan Forgiveness: Lawyers Credit Parallel Negotiation

**Press Release:** Munsch Hardt Named to 2022 “Best Law Firms” List by U.S. News – Best Lawyers®

**Press Release:** Munsch Hardt Ranks Among Nation's Top Firms in 2021 “Best Law Firms” List by U.S. News - Best Lawyers®

**In The News:** What we know — and don't know — about PPP loan forgiveness

**In The News:** Small-Business Owners Are Anxious Despite Federal Aid: A Q&A With Munsch Hardt's David Roth

**In The News:** SBA Faces 'Parade' of Lawsuits Over Handling of PPP

**In The News:** Small Businesses Could Be Caught in PPP Loan Forgiveness Process Into 2022 — And Beyond

**Press Release:** Munsch Hardt Welcomes Back Corporate Finance Attorney Walter Buchanan

**Article:** COVID-19: PPP Update – Everything Changes

**Newsletter:** COVID-19: 10 Things We Learned From Reading the SBA's PPP Forgiveness Application

**Press Release:** Munsch Hardt Adds Corporate, Energy Shareholder in Houston

**Speech:** Hotel Owners + The Novel Coronavirus Webinars

**Newsletter:** COVID-19: Paycheck Protection Program Checklist

**Newsletter:** COVID-19: CARES Act SBA Lending Program

**Newsletter:** COVID-19: Interagency Statement

**Press Release:** Munsch Hardt Ranks Among Nation's Top Firms in 2020 "Best Law Firms" List by U.S. News - Best Lawyers®

**Press Release:** Munsch Hardt Ranks Among Nation's Top Firms in 2019 Best Law Firms List

**Press Release:** Munsch Hardt Attorney Closes Two Middle-Market Transactions, Signs Up a Third in Less Than 30 Days

**In The News:** Munsch Hardt Shareholder Appointed to Arbitration Board

**Press Release:** NACHA – The Electronic Payments Association Appoints Munsch Hardt Attorney as Arbitration Board Member

**Article:** A Look Inside Texas' New Home Equity Loan Law

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

**Speech:** Regulatory and Legal Views of the Payments Landscape

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

**Press Release:** Munsch Hardt Earns 2015 Top-Rankings from U.S. News-Best Lawyers® Best Law Firms

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

**Press Release:** Munsch Hardt Recognized as Industry Leaders in 2014 Chambers USA

**Press Release:** Munsch Hardt Announces Three Promotions

**Press Release:** Munsch Hardt Attorney M'Lou Patton Bell Recognized

**Press Release:** Munsch Hardt Ranks Among U.S. News – Best Lawyers 2014 "Best Law Firms"

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

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

**Speech:** Corporate Account Takeovers; Managing Relationships Between Third-Party Senders & ODFIs

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

**Press Release:** U.S. News - Best Lawyers Best Law Firms Features Munsch Hardt

**Press Release:** Munsch Hardt Recognized by DealMakers Corporate Finance Awards 2012

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

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

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

**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!