

# Secured Debt Investing

Though slowing down with the uptick of the economy, secured debt investing remains an attractive option for savvy investors looking to capitalize on distressed assets of all kinds. It presents opportunities to both purchasers and sellers of secured debt and requires that a fully integrated legal services partner is involved to help understand and navigate the process.

At Kegler Brown, we bring a sophisticated perspective to these transactions that is informed by (1) our longstanding corporate experience, (2) our thorough understanding of both the underlying assets and the creditor/debtor dynamics, (3) our deep-rooted relationships with lending institutions, (4) our knowledge of the real estate issues that are often at play, and (5) our creditor litigation experience from start to end. So whether a contemplated investment involves real property, business assets, or any other form of secured debt, our large, diverse volume of secured debt transactions gives clients confidence that we bring a balanced approach to the deal, including an awareness of the various interests involved, anticipation of potential roadblocks, and the motivations that exist on each side.

## Our Services

- + **Contract documents:** assignments of notes and mortgages; assignments of judgments; loan purchase agreements
- + **Due diligence:** loan documentation; diligence related to underlying assets, title research and lien position review
- + **Creditor's rights:** communication regarding the comprehensive transaction process; §363 sales; "loan to own" strategies; exit financing

## Our Clients

When buying secured debt, individual and commercial investors rely on our lawyers to facilitate these investments, including "loan to own" strategies in real estate or in the assets of bankrupt companies, which often result in a quick disposition or "flip" of the assets. Our extensive work on these deals also extends to representation of banks in disposing of their REO properties and other distressed debt. And although we practice primarily in Ohio with clients looking to invest between \$1 million and \$50 million in Ohio businesses, real estate and other tangible assets, our national alliance of law firms (SCG-Legal) means our reach is borderless.

Our clients are highlighted by one of Ohio's leading commercial real estate lending businesses with a focus on distressed debt funds, an investment banking firm focused on middle-market transactions, and one of central Ohio's largest commercial real estate developers.

## Contact Us

For more information on the fully integrated services we offer buyers and sellers of secured debt, please contact Larry McClatchey.

### Our Team

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