

Developments in Intercreditor Agreements

JUNE 28, 2012

Winston & Strawn hosted an eLunch titled “Developments in Intercreditor Agreements” on Thursday, June 28, 2012 at 12:15 (Central).

Several recent decisions have had an impact on considering assignment of substantive bankruptcy rights under intercreditor agreements, including assignments of voting rights, and whether such assignments may override specific provisions in the Bankruptcy Code.

Winston & Strawn partner Carey Schreiber came together for a practical, interactive presentation that examined intercreditor agreements and whether these agreements, or particular provisions in such agreements, were enforceable. The discussion focused on:

- The common provisions in intercreditor agreements limiting junior lien lenders’ rights
- Whether a given term in an intercreditor agreement, or the agreement itself, is enforceable under the Bankruptcy Code
- The seminal cases of *Hart Ski* and *203 North LaSalle* and their progeny and the current trend by the bankruptcy courts
- Enforceability of provisions in intercreditor agreements that provide for the assignment of voting rights by junior lien lenders to senior lien lenders

An eLunch briefing is a complimentary interactive seminar offered by Winston & Strawn LLP over the Internet. You’ll watch and listen to a presentation at your own computer given by Winston & Strawn attorneys.

Clients and friends of the firm are invited to attend seminars and events. We reserve the right to limit attendance at any firm event.

NOTE: CLE credit is not available for listening to our pre-recorded eLunch or webinar briefings.

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Carey Schreiber