

# McNees Bankruptcy and Creditors' Rights

Bankruptcy

Foreclosure

Restructuring

The attorneys at McNees Wallace & Nurick assist **creditors** in all phases of workouts and bankruptcy cases throughout the United States.

## We routinely represent creditors in the following areas:

- 1) Preference Defense
- 2) Fraudulent Transfer Defense
- 3) Replevin Actions
- 4) Confession of Judgment
- 5) Garnishment Actions
- 6) Commercial Foreclosures
- 7) Receivership Cases
- 8) Secured Transactions – Article 9 of the UCC

## Litigation Matters

McNees has vast experience in defending creditors against preference and fraudulent transfer actions. We also appear regularly before bankruptcy courts to obtain relief from the automatic stay in bankruptcy so that our clients can continue to pursue and protect their rights. Our replevin practice reaches all 67 counties in Pennsylvania.

## Workouts and Creditors' Rights Representation

Our bankruptcy related experience transfers into financial workouts and other creditors' rights issues. We represent borrowers, landlords, lenders, tenants and other parties-in-interest in assignments for the benefit of creditors, foreclosure actions, and private and public sales under the Uniform Commercial Code. We also represent borrowers, lenders, suppliers and additional interested third parties in negotiating alternatives to bankruptcy or other traditional, yet often less flexible, resolutions.

In addition to taking commercial litigation matters to judgment, we pursue the perfection and collection of those judgments. In doing so, we employ our bankruptcy experience to maximize our client's recovery and minimize the risk of loss due to the judgment debtor's insolvency. We use our experience with the myriad of bankruptcy issues to help achieve positive results in negotiating or renegotiating agreements, contracts, leases, loans and settlements.



**CLAYTON W. DAVIDSON, CHAIR**  
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Clayton practice focuses primarily on representing creditors in bankruptcy and commercial law cases. Clayton has extensive experience in defending creditors from preference actions in adversary proceedings throughout the United States including Delaware and the Southern District of New York in the following areas: Defense of Fraudulent Transfer Actions, Asset purchases or "363 sales", Chapter Plan objections, Article 2 sales disputes, "and commercial collection and replevin actions. His finance experience involves representing lenders, borrowers and investors in traditional commercial lending and venture capital financings as well as general corporate advice.



**ALAN BETTEN**  
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Alan Betten is a recognized real estate attorney who has deep knowledge in commercial real estate transactions and litigation. He provides counsel to clients throughout Maryland on the full range of legal matters typically engaged in by real property owners, real estate investment trusts, realty advisors, developers, landlords, contractors, real estate brokers, asset managers, property managers, and management agents.



**KENDALL A. CAMUTI**  
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Kendall counsels clients on a wide range of issues, including real estate sales and development transactions, commercial leasing, mergers and acquisitions, and business planning, as well as general corporate matters. He also has significant experience commercial mortgage-backed securities and representing clients in a variety of bankruptcy and creditors' rights matters.



**JAMES P. DEANGELO**  
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As a business litigator, Jim represents clients of the firm in all forms of transactional disputes including defense and prosecution of claims related to business transactions, claims involving corporate, partnership, and other business entity control, asset purchase agreements, stock purchase agreements, commercial lending, commercial leases, and non-competition agreements. He represents automobile dealers in franchise disputes including relocation, new point, and termination cases.



**RICK M. GRAMS**  
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Rick M. Grams is a litigator who has represented clients in all aspects of legal matters throughout Maryland and Pennsylvania in state and federal courts involving residential and commercial landlord/tenant matters, contracts, automobile accidents, real estate, fair housing, employment and bankruptcy and creditors' rights law.

