



## 重组

我们的全球重组团队就最大型和最复杂的跨境重组提供建议。我们为客户制定创新且富有商业成效的重组解决方案。

我们在美洲、亚太、欧洲和中东都有专责处理重组事务的律师，具备专业知识、经验和资源来满足国内和国际客户处理重组与破产事务的需求。我们驻当地的重组律师对本地市场和客户面对的相关挑战了如指掌。

我们就所有有关业绩不佳和状况堪忧的公营和私营公司事务，向客户提供建议。我们的客户群体十分多样化，包括债务人、贷款人、政府实体、受托人、股东、高级管理人员，以及不良债务和资产的买方和投资者。

不论是中型市场到最大型国内和国际重组及破产业务，我们均有涉足。在处理重组和破产引发的争论问题上，我们也颇具经验。我们在向客户提供有关跨司法管辖区调查、执法、诉讼和资产追回方面的建议上拥有丰富的经验。

### CAPABILITES

不论是预期出现重组和破产，还是进行善后，我们可就各方面的事宜向客户提供建议。

我们就以下方面向客户提供建议：

- 债务和资产的追踪与追偿
- 处置，包括现成的解决方案、不良资产并购和房地产处置
- 不良债务交易
- 金融重组
- 正式破产／破产程序和债权人委员会代理
- 破产／破产相关的调查、诉讼和强制执行
- 国际重组战略和程序
- 运营重组

我们的重组专业律师在多个欧洲国家获委任为破产清盘管理人员。

### EXPERIENCE

#### 主要联系人

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#### 相关服务

- 公司
- 金融
- International Corporate Reorganizations

我们向各行各业的客户提供建议，在能源、金融服务、医疗保健、酒店娱乐、房地产、零售、体育、技术和交通等行业特别有优势。

下列为我们最近处理的一些重大跨境项目：

- Trident Microsystems – 我们担任Trident Microsystems, Inc. (一家芯片和软件公司)的代理，处理以下事务：根据美国破产法《第11章》在特拉华地区破产法庭申请破产保护，并将Trident的机顶盒业务部门出售给Entropic Communications，以换取其代偿相关债务和5500万美元现金；将Trident的电视业务部门出售给Sigma Designs，以换取其代偿相关债务和3000万美元；以及Trident位于11个国家的16家外国子公司的清盘工作。我们因Trident Microsystems的出售交易赢得2013年并购顾问国际奖“年度最佳公司/战略收购”交易类大奖(金额介于5000万至1亿美元)
- Dawney Day – Dawney Day为资产达10亿英镑的全球房地产及金融服务综合企业。我们就该公司的重组事宜向最大的优先贷款方Norwich Union(现为英杰华)和管理人BDO Stoy Hayward提供建议。
- 北电网络有限公司加拿大债权人委员会 – 在北电网络公司及其加拿大、美国、英国、欧洲、中东和非洲附属公司的多国破产法律程序中，担任加拿大债权人委员会的美国及跨境破产事务法律顾问。我们的工作包括在美国和加拿大法院开展联合诉讼，处理在数家公司之间90多亿美元资产的分配事宜。
- Lexi Holdings – 在Lexi Holdings的重组/破产案中，向英国多家银行组成的财团和管理人毕马威提供建议。该公司被诈骗了约5000到7000万英镑。我们取得了针对18方的判决书，将欺诈案的幕后主事人关进监狱，并且追回了遍布世界各地价值近4000万英镑的房地产。
- Ineas – 我们就Ineas(一家泛欧在线汽车保险公司)的破产管理提供建议。这是近年来欧洲最大的保险公司破产案之一。我们与荷兰中央银行和荷兰金融监管局紧密合作，处理保单、业务延续和/或转移，以及保证金申请问题。
- Solar Enertech Corp – 我们就Solar Enertech Corp的重组提供建议。该公司是一家总部设在美国的太阳能产品制造商，亚洲业务据点位于香港和上海。我们获委任与FIT Consulting一起处理母公司和子公司的重组事宜。
- Prince Sports – 我们担任Authentic Brands Group的代理，就Prince Sports Inc.及其遍布亚洲(包括中国内地、香港和台湾)、美国和欧洲的公司提供建议。Prince Sports Inc.是一家体育用品公司，产品分销到超过100个国家。

## 见解与洞察

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### 著作发表

#### The Finnish government proposes measures to limit the commercial impact of coronavirus

31 March 2020

On Friday 20 March 2020, the Finnish government has agreed on a comprehensive package to safeguard jobs and livelihoods and ease the economic pressure on businesses. According to the government's estimate, the overall scale of the measures will be approximately EUR15 billion.

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#### Coronavirus - Mitigating supply chain and customer insolvency risk

31 March 2020

The impact of the COVID-19 outbreak could have a significant impact on your global supply and customer chains. We can assist in responding to such risks in the various jurisdictions in which you operate, source materials and/or supply products and services.

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#### Coronavirus: How European governments are providing support through funding and refreshed insolvency laws

30 March 2020

In response to the coronavirus outbreak, a number of government and central bank measures are available to businesses in Europe. Additionally, insolvency laws have been updated. Our guidance outlines what this means to businesses in 14 countries.

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#### Coronavirus: room for manoeuvre for directors of UK companies

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30 March 2020

The UK government has announced that, to ease the pressure on UK directors, wrongful trading measures will be suspended for three months from 1 March 2020.

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### **Economic relief for Calgary business owners impacted by COVID-19 (Canada)**

27 MAR 2020

Canadian governments have implemented numerous measures to assist business owners economically affected by COVID-19. This article outlines the measures for business focused relief available to Calgary business owners from the federal, provincial, and municipal governments.

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### **COVID-19: The benefits of US chapter 11 relief in a time of economic crisis**

19 March 2020

Highlighting some of the most significant benefits of US chapter 11 for companies facing severe challenges under the current circumstances.

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### **Coronavirus disease (COVID-19): Business interruptions and resulting effects in the global economy (Global)**

16 March 2020

While the overall scope and duration of the economic impacts are difficult to forecast, there will undoubtedly be a significant increase in workouts, restructurings, rescue financings, forbearances, and other similar activities over the coming months.

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### **Commercial bankruptcy practice in the US today: Chapters 11 and 15**

29 January 2020

The current legal framework in the US for companies seeking to reorganize and restructure their business operations and debt.

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### **Global Insight - Issue 31, December 2019**

20 December 2019

#### **[RESTRUCTURING - GLOBAL INSIGHT](#)**

News, views and analysis from DLA Piper's Global Restructuring Group on the UNCITRAL Model Law on cross border insolvency, a new restructuring tool known as WHOA or the Dutch scheme to be implemented in the Netherlands, and an examination of a proposal to elevate the UK tax department in the order of priority on insolvency.

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### **Global Insight - Issue 30, October 2019**

7 October 2019

#### **[RESTRUCTURING - GLOBAL INSIGHT](#)**

News, views and analysis from DLA Piper's Global Restructuring Group.

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### **Secured creditors and Colombia's insolvency proceedings**

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7 October 2019

The Columbian Secured Interest Law, which came into effect in 2014, has substantially affected the legal scope of creditors' rights in the context of insolvency proceedings, potentially creating a new type of creditor; the secured creditor. Is this new type of creditor compatible with the current hierarchy system, and what are the specific rights of that new creditor in arrangement proceedings?

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### Understanding DIFC's new insolvency law: What impact will it have?

7 October 2019

Peter Somekh analyses whether the new insolvency law recently adopted by the Dubai International Finance Centre can effectively promote the rehabilitation of viable businesses whilst ensuring fairness and preservation of stakeholder rights and value.

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### Getting insolvency proceedings recognized in the UK: Have you thought about section 426?

7 October 2019

Many distressed situations involve a cross-border element. Section 426 of the Insolvency Act 1986 is a unique tool that can be used where insolvencies taking place in a designated jurisdiction require recognition or assistance in the UK. Here we outline how this tool can be used, its scope and the advantages for cross-border situations.

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### Supreme Court Corner

24 July 2019

The Court clarifies a circuit split over copyright in *Fourth Estate* and, in *Mission Product Holdings*, says a licensee's rights survive the licensor's bankruptcy.

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### Global Insight - Issue 29, June 2019

28 June 2019

#### [RESTRUCTURING - GLOBAL INSIGHT](#)

News, views and analysis from DLA Piper's Global Restructuring Group.

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### Creditors' schemes of arrangement in Australia

26 June 2019

The use of creditors' schemes of arrangement is on the rise in Australia (as we discussed in our previous article - Update on Creditors Schemes of Arrangement in Australia). Along the way the Australian courts have made valuable contributions to international scheme jurisprudence. In this article we look at some of these contributions and then explore how Australian law might be further developed to remain a leading jurisdiction for creditors' schemes.

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### Goods vehicle operators' licenses in an insolvency context

25 June 2019

When dealing with a goods vehicle operator in an insolvency context: early engagement with the Traffic Commissioner is crucial;

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directors should be proactive in informing the Traffic Commissioner of a material change in circumstances (e.g. a change in the company's financial standing, which extends to launching a company voluntary arrangement (CVA)); and insolvency practitioners should engage as early as possible with the Traffic Commissioner and build such engagement into their contingency planning.

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## **Debt restructuring in the UK and Spain**

4 June 2019

Since the turn of the century, many foreign companies - including large Spanish groups - have resorted to the English scheme of arrangement procedure under part 26 of the UK Companies Act in order to restructure their debt. Between 2009 and 2015, EUR11 billion of Spanish debt has been restructured in English courts.

[Read the full article.](#)

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## **Global Insight - Issue 28, April 2019**

2 April 2019

### **RESTRUCTURING - GLOBAL INSIGHT**

News, views and analysis from DLA Piper's Global Restructuring Group.

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## **Brexit Update: What next for cross-border restructuring?**

2 April 2019

Immediately following the results of the UK referendum on exiting the EU in June 2016, we wrote about the potential impact of Brexit on cross-border restructuring and insolvency work. As we identified then, the key issue in this area is the potentially significant implications of losing the reciprocal effect of the EU Regulation on insolvency proceedings and the Brussels Regulation (recast). In this article we focus on the impact of the loss of recognition under the Insolvency Regulation.

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## **Down but not out (of the money)**

26 March 2019

It is a common scenario: a fully encumbered asset is sold, with junior lienholders out of the money. Until recently, it was widely accepted that an out of the money junior lien was worthless and not entitled to any of the proceeds from a sale free and clear. Not anymore.

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## **Australia: 2018 in review, and what's in store for 2019?**

25 March 2019

In this article, we review developments in the Australian insolvency and restructuring landscape during 2018, with an overview of key judgments and legislative changes, and look at what lies ahead in 2019.

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## **Global Insight - Issue 27, December 2018**

17 DEC 2018

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## RESTRUCTURING - GLOBAL INSIGHT

As we send this final edition of Global Insight for 2018, Rick and I would like to thank you for your continued support of our multi-award-winning Global Restructuring Group.

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### Restructuring Global Insight - News, views and analysis from DLA Piper's Global Restructuring Group

3 OCT 2018

## RESTRUCTURING - GLOBAL INSIGHT

Welcome to our 26th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

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### Positive signs for issuers and the marketplace: Argentina economic briefing

7 SEP 2018

The financial press continues to portray Argentina as another merging-market casualty but, to the contrary, there are a number of positive financial signs, for investors, the country and the marketplace, in today's Argentine economy.

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### Restructuring Global Insight - Canada's steel industry, credit default swaps, schemes, and more

9 MAY 2018

## RESTRUCTURING - GLOBAL INSIGHT

Welcome to our 24th edition of Global Insight with another selection of restructuring items from our colleagues around the World.

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## 会议与演讲

### 近期举行

#### IPEM 2020

28-30 January 2020  
Paris

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#### 2019 Insolvency and Restructuring Forum — Edmonton

9 MAY 2019

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#### SmithNovak NPL IBERIA November 2018

27-28 NOV 2018  
Madrid

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#### 2018: The year of the CVA - lessons learnt so far

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6 SEP 2018  
London

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### **INSOL Helsinki one day seminar**

13 JUN 2018  
Helsinki

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## **新闻**

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### **DLA Piper lawyers named Acritas Stars**

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### **DLA Piper named among the top 10 firms globally for Restructuring**

18 June 2019

Global Restructuring Review (GRR) has unveiled its annual ranking of the world's leading restructuring law firms, with DLA Piper ranked #7 in the GRR 30, up three places from the previous year.

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### **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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### **DLA Piper appoints finance and project lawyer David Lyons**

10 December 2018

DLA Piper has appointed senior finance lawyer David Lyons as a partner of the firm's Finance Projects & Restructuring practice to be based in Brisbane.

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### **DLA Piper sees flurry of fintech activity in 2018**

13 December 2018

The Australian fintech industry is set for strong growth in 2019 and 2020 according to DLA Piper as Data Republic – advised by

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## In China

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### 概述

我们的中国重组团队汇集在北京和上海拥有多位本地和国际专业律师，他们深谙本地法律及实务，了解中国人的思维方式。结合我们与美国、欧洲客户共同处理本地和跨境重组与破产问题的经验，我们能够在国内和国际层面为客户提供广泛服务。

我们解决诉讼与非诉讼事务的务实和创新方法，备受客户推崇。在中国开展业务的国际律所中，我们居领先地位，因为我们在以下多个方面具备专业经验：诉讼与法规、公司事务、融资和项目、房地产、劳务聘用、知识产权和技术，以及税务实务。

我们在中国的重组团队是我们全球重组团队的一部分，而全球重组团队是有关业务的全球领导者之一。我们在美洲、亚太、欧洲和中东都有专责处理重组事务的律师，具备专业知识、经验和资源来满足国内和国际客户处理重组与破产事务的需求。在全球各地，我们驻当地的专业重组律师对本地市场和客户面对的相关挑战拥有广泛认识。

### 雄厚实力

我们为多元化的客户群体服务，包括金融机构、财务顾问/会计师、公司、私募股权基金、股东、不良债务基金/投资者，以及债券持有人/贷款票据持有人。我们就预计出现的重组和破产或其后果的各方面事宜为客户提供法律意见。

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- 正式破产/破产程序和债权人委员会代理
- 破产/破产相关的调查、诉讼和强制执行
- 国际重组战略和程序
- 运营重组和咨询

### 丰富经验

我们向各行各业的客户提供建议，在能源、金融服务、生命科学、酒店娱乐、房地产、零售、体育、技术和交通等行业特别有优势。

我们最近处理的一些重大重组项目包括：

- Trident Microsystems—为Trident Microsystems Inc. 就重组问题提供建议。该公司在亚洲（包括香港、中国大陆、新加坡、台湾、韩国和日本）以及美国和欧洲等地的家居数字娱乐市场占据领先地位。我们帮助Trident处理将其中国业务转让给收购方的事宜，及其中国实体的清算、员工的转移以及劳务聘用欠款索赔诉讼的和解。我们因Trident Microsystems的出售交易赢得2013年并购顾问国际奖“年度最佳公司/战略收购”交易类大奖（金额介乎5000万至1亿美元）。
- 联邦存款保险公司 — 就联合商业银行的全球重组向联邦存款保险公司提供建议。
- Prince Sports—我们担任Authentic Brands Group的代理，就Prince Sports Inc. 及其遍布亚洲（包括中国内地、香港和台湾）、美国和欧洲的子公司的重组提供建议。Prince Sports Inc.是一家体育用品制造商，产品分销到超过100个国家。
- Solar Enertech Corp—我们就Solar Enertech Corp的重组提供建议。该公司是一家总部设在美国的太阳能产品制造商，亚洲业务据点位于香港和上海。
- 神阳科技 — 我们担任神阳科技公司接管人的代理。该公司是纳斯达克上市公司，运营资产主要位于中国。此案得到财经媒体的紧密跟踪报道。在该案中，法院向一位美国调查员 授予一项普通 救济，并据此指定了清算人，该清算人有权扣押公司的资产，以便向该投资者偿还3200万美元的债务。我们应聘为清算人代理追偿战略事务。