



Reestructuración

Nuestro equipo global de Reestructuraciones presta asesoramiento en las reestructuraciones internacionales más complejas y de mayor magnitud. Desarrollamos soluciones de reestructuración innovadoras, que se traducen en resultados comerciales para nuestros clientes.

Gracias a nuestro equipo de abogados expertos en reestructuraciones de América, Asia Pacífico, Europa y Oriente Medio, contamos con el conocimiento, la experiencia y los recursos necesarios para satisfacer las necesidades de nuestros clientes en este ámbito y en materia de insolvencia, tanto a nivel nacional como internacional. Nuestros abogados especialistas en reestructuración «sobre el terreno» cuentan con un amplio conocimiento de los mercados locales y de los retos asociados a los que se enfrentan nuestros clientes.

Prestamos asesoramiento en todo tipo de asuntos a empresas públicas y privadas que presentan un bajo rendimiento o se encuentran en situación de crisis. Brindamos nuestros servicios a una amplia gama de clientes, entre los que se encuentran deudores, entidades de crédito, organismos públicos, administradores, accionistas, altos directivos y compradores e inversores de activos y títulos de deuda distressed o en dificultades.

Gestionamos cesiones desde el mercado intermediario hasta las mayores operaciones de reestructuración e insolvencia nacionales e internacionales. Asimismo, nuestra experiencia está reforzada por nuestra trayectoria en la gestión de contenciosos sobre reestructuraciones y procedimientos de insolvencia. Contamos con una dilatada experiencia asesorando a clientes en materia de investigación, ejecución, litigios y recuperación de activos en ámbitos multijurisdiccionales.

CAPABILITES

Prestamos asesoramiento a nuestros clientes en todos los aspectos de la reestructuración y de la insolvencia/quiebra, ya sea anticipándonos a ellas o abordando sus consecuencias.

Asesoramos a nuestros clientes en los siguientes aspectos:

CONTACTOS

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- Corporate
- Finance
- Reorganización Corporativa Internacional

- Rastreo y recuperación de deuda y activos.
- Enajenaciones, incluyendo soluciones pre-pack, fusiones y adquisiciones de empresas en dificultades y negociaciones relativas a inmuebles.
- Negociación de títulos de deuda distressed.
- Reestructuraciones financieras.
- Procedimientos formales de insolvencia/concurso de acreedores y representación en juntas de acreedores.
- Investigaciones, litigios y ejecución de procedimientos de insolvencia/concurso de acreedores.
- Estrategia y procedimientos de reestructuración internacional.
- Reestructuraciones operativas.

En diversos países europeos nuestros expertos en reestructuración asumen cargos como administradores concursales en procedimientos de insolvencia.

EXPERIENCE

Prestamos asesoramiento en una múltiples sectores de actividad, especialmente en energía, servicios financieros, sanidad, restauración y ocio, inmuebles, comercio minorista, deportes, tecnología y transportes.

A continuación se detallan algunos de los asuntos más importantes de ámbito internacional en los que hemos trabajado:

- Trident Microsystems – Representamos a Trident Microsystems, Inc., empresa de chips y software, en la presentación de su solicitud de concurso de acreedores —de acuerdo con el capítulo 11— en el Tribunal Estadounidense para Casos de Insolvencia de distrito de Delaware; en la venta de su unidad de negocio de decodificadores a Entropic Communications a cambio de la asunción de obligaciones y de 55 millones de USD en efectivo; en la venta de su unidad de negocio de televisores a Sigma Designs a cambio de la asunción de obligaciones y 30 millones de USD, y en la liquidación de 16 de sus dependientas extranjeras ubicadas en 11 países distintos. En los premios M&A Advisor International Awards 2013 tuvimos el honor de recibir el galardón a la adquisición corporativa/estratégica del año (Corporate/Strategic Acquisition of the Year), — entre 50 y 100 millones de USD— por la venta de Trident Microsystems.
- Dawnay Day – Asesoramos a Norwich Union (actualmente, Aviva), la mayor y más importante entidad de crédito, y a BDO Stoy Hayward en calidad de administradores para la reestructuración de Dawnay Day, conglomerado de servicios inmobiliarios y financieros con activos por un valor superior a los mil millones de GBP.
- Junta de Acreedores Canadienses de Nortel Networks Limited – La Junta de Acreedores Canadienses de Nortel Networks Limited nos contrató como asesores jurídicos en materia de insolvencia para Estados Unidos y el resto del mundo en los procedimientos multinacionales de insolvencia de Nortel Networks Limited y sus filiales de Canadá, Estados Unidos, Reino Unido y Europa, Oriente Medio y África. Nuestro trabajo incluyó la gestión de litigios conjuntos ante los tribunales de Estados Unidos y Canadá en cuanto a la asignación de más de nueve mil millones de USD en ingresos de activos entre los diferentes estados.
- Lexi Holdings – Prestamos asesoramiento a un sindicato de bancos del Reino Unido y KPMG en calidad de administradores de los procedimientos de reestructuración/insolvencia de Lexi Holdings. El fraude cometido contra la entidad ascendió aproximadamente a unos 50-70 millones de GBP. Obtuvimos sentencias contra 18 partes, logramos que se condenara al administrador responsable del fraude y recuperamos aproximadamente cuarenta millones de GBP en valores inmobiliarios en todo el mundo.
- Ineas – Prestamos asesoramiento a la administración de Ineas, empresa de seguros de automóviles de alcance paneuropeo. Este caso representó el mayor procedimiento de insolvencia de una empresa de seguros en la historia reciente de Europa. Trabajamos estrechamente con el Banco Central de los Países Bajos y con la Autoridad de Supervisión Financiera de los Países Bajos en relación con el tratamiento de las pólizas de seguros, la continuación o cesión de actividades y la aplicación de los fondos de garantía.
- Solar Enertech Corp – Prestamos nuestro asesoramiento a Solar Enertech Corp, un fabricante de productos de energía solar con sede en Estados Unidos y presencia en Hong Kong y Shanghái. Fuimos seleccionados, junto con FTI Consulting, para llevar a cabo la reestructuración de la sociedad dominante y sus filiales.

- Prince Sports – Prestamos nuestros servicios para Authentic Brands Group en la reestructuración de Prince Sports Inc., empresa de distribución de artículos deportivos con presencia en más de cien países, y de sus filiales en Asia —incluyendo China, Hong Kong y Taiwán—, Estados Unidos y Europa.

NOVEDADES

Publicaciones

Newsletter Reforma Concursal

8 de septiembre de 2022

Aprobación de la norma que transpone la Directiva (UE) 2019/1023 sobre reestructuración e insolvencia e introduce numerosas modificaciones en la normativa concursal, con un foco especial en los instrumentos preconcursales.

Examinership Modified: Ireland Transposes the Preventive Restructuring Directive into Law

1 August 2022

Earlier today, the Minister for Enterprise, Trade and Employment published and brought into force the European Union (Preventive Restructuring) Regulations 2022 (the Regulations).

Bankruptcies begin for crypto firms as “crypto winter” settles in

25 July 2022

The crash in cryptocurrency prices has erased nearly \$2 trillion in market value and forced three large firms into bankruptcy proceedings.

DeFi participants should prepare to confront the unknown as bankruptcies loom

23 June 2022

Do not assume that a bankruptcy involving a DeFi platform would operate in a manner similar to other financial institution bankruptcy cases.

Examinership in exceptional times

29 April 2022

This article provides a summary overview of the examinership process and considers recent developments in this sphere. In light of the prevailing economic uncertainty, examinership is likely to become ever more relevant to companies and their directors across Ireland and beyond over the coming months.

Supporting the health of your health system: 2022

3 January 2022

Helping you tend to healthcare system wellness throughout the business life cycle.

Lexology Getting The Deal Through

3 December 2021

DLA Piper contributed to the Restructuring & Insolvency Luxembourg chapter for Lexology's *Getting The Deal Through* publication. This publication answers key questions and trends on the topic.

Pension Schemes Act 2021: The new criminal offences and their potential impact on restructuring transactions

25 October 2021

The Pension Schemes Act 2021 received Royal Assent on 11 February 2021. Most notable among its provisions is the introduction of two key new criminal offences into the Pensions Act 2004 (PA 2004). It is anticipated that these new offences will become effective at some point in autumn 2021.

Rent deferrals in bankruptcy during the COVID-19 pandemic

24 May 2021

The COVID-19 pandemic created unprecedented disruptions across the global economy, perhaps most severely in the retail sector. Shelter-in-place orders, government-mandated closures and other restrictions drastically reduced or entirely wiped out revenue streams, resulting in an increased number of bankruptcy filings by retail debtors.

Restructuring Global Insight

24 May 2021

[RESTRUCTURING - GLOBAL INSIGHT](#)

In our May edition of Global Insight we look at five topics from various jurisdictions around the world. From the UK we cover two areas - the new Pensions Schemes Act 2021 and the criminal offences and their potential impact on restructuring transactions; and the UK's solutions within the legal and operational toolkit for retail businesses.

Solutions within the legal and operational toolkit for businesses in Retail (and the supply-chain) to enhance resilience

24 May 2021

The Government's roadmap out of lockdown signals a return to trading for a number of businesses hard-hit by the COVID-19 pandemic.

WHOA, an update: approval of the first Dutch scheme

24 May 2021

As already announced in the article of Marc Molhuysen and Olmo Weeshoff of 20 December 2021, the new Dutch pre-insolvency tool, 'The Act regarding the binding approval of debt restructuring agreements', widely referred to as the WHOA (*Wet homologatie onderhands akkoord*) or the "Dutch Scheme" entered into force on 1 January 2021.

UK Corporate Insolvency And Governance Act: Moratorium

Updated 01 April 2021

The Corporate Insolvency and Governance Act 2020 has introduced a new standalone moratorium procedure for companies. The moratorium is part of a package of significant legislative reforms contained in the Act, intended to enhance the UK's restructuring rescue culture. These were originally consulted on between 2016 and 2018 and were fast-tracked to deal with the COVID-19 pandemic.

Gategroup: Planning and scheming - are super schemes actually insolvency proceedings?

23 February 2021

The new Part 26A Companies Act Restructuring Plan procedure, dubbed the "Super Scheme", was gathering pace in the English courts since its introduction in June last year. Last week's judgment in gategroup presents a potential speed bump in terms of its implementation as the restructuring tool of choice in European cross-border restructurings.

The sale of a production unit in the Revised Text of the Spanish Bankruptcy Law (TR LC)

4 February 2021

In the case of companies in crisis, the sale of their production units is often considered. The Revised Text of the Spanish Bankruptcy Law establishes rules and procedures to be followed depending on the procedural moment and way of transfer of the production unit.

Restructuring Global Insight – January 2021

18 January 2021

RESTRUCTURING - GLOBAL INSIGHT

2020 was a challenging, but exciting, year of growth and development for the DLA Piper Global Restructuring Group. We would not have been able to achieve the level of success we did without the support of our clients and dedication of our professionals who remained steadfast through difficult circumstances, and continue to do so.

Extension of USD LIBOR – ICE Benchmark Administration Consultation

12 January 2021

On 30 November 2020, the ICE Benchmark Administration (IBA) which compiles and oversees LIBOR, announced that it will hold a consultation on its intention to extend most US Dollar LIBOR (USD LIBOR) tenors until 30 June 2023.

COVID-19: An international guide to changes in insolvency law

1 December 2020

In response to the COVID-19 outbreak, a number of insolvency laws have been updated.

Some comfort for directors with the reintroduced suspension of wrongful trading

1 December 2020

The UK Government has reintroduced the temporary suspension of wrongful trading measures from 26 November 2020 until 30 April 2021 (the suspension was originally introduced in March 2020 and expired on 30 September 2020).

COVID-19 – Galvanising your business against supply chain and customer insolvency risk

7 October 2020

The risk of unforeseen counterparty customer or supplier financial distress and failure amidst the on-going challenges for businesses from COVID-19 means that pre-emptive legal and operational protections against the risk of heavy financial loss or business disruption from customer/supplier failure are more valuable than ever.

Draft bill of the Stabilization and Restructuring Framework

30 September 2020

Germany's planned Stabilization and Restructuring Framework (Stabilisierungs- und Restrukturierungsrahmen) is essentially an independent, out-of-court tool to implement a restructuring process by means of a restructuring plan in order to avert insolvency proceedings.

Eventos

Reciente

IPEM 2022

20-22 September 2022

IPEM 2022

Cannes

EU Regulatory Data Protection: A legal and policy appraisal of an emerging legislative framework

5 May 2022

Webinar

Embracing Digital Evolution

15 September 2021

Webinar

IPEM 2021

8-9 September 2021

IPEM 2022

Paris

Pan-European Restructurings – challenges and solutions when working across borders – and a CRO perspective

15 April 2021
Webinar

Payments Forum – New Year challenges for lawyers in the payments sector

26 January 2020
Webinar

Webinar - Restructuring, Hospitality & Leisure - Challenges and Opportunities

19 November 2020
Webinar

Essential Legal Update 2020

12 October 2020 - 15 October 2020
Webinar

NOTICIAS

DLA Piper partner Oksana Koltko Rosaluk recognized as a restructuring industry rising star by INSOL

22 September 2022

DLA Piper is pleased to announce that partner Oksana Koltko Rosaluk has been recognized as a rising star in the insolvency and restructuring industry by INSOL International, a worldwide federation of national associations for accountants and lawyers who handle turnaround and insolvency work.

Best Lawyers / Handelsblatt recommends a total of 90 lawyers from DLA Piper in Germany

24 June 2022

This year, the U.S. publisher Best Lawyers has once again recognized numerous DLA Piper lawyers in Germany in various areas of law.

DLA Piper advises Francotyp-Postalia on acquisition of Azolver

24 March 2022

DLA Piper has advised Francotyp-Postalia Holding AG on the acquisition of all shares in the operating companies of Azolver Holding GmbH.

DLA Piper advises The Phoenix on financing round for everphone

23 December 2021

DLA Piper has advised The Phoenix Insurance Company on a USD200m financing round for Berlin-based phone-as-a-service company everphone.

DLA Piper grows Finance, Projects and Restructuring practice in Ireland with new partner hire

10 November 2021

DLA Piper today announces the appointment of Gavin Smith as a partner in the firm's Finance, Projects and Restructuring (FP&R) group. Gavin will be responsible for leading DLA Piper's Restructuring team in Ireland.

DLA Piper advises Geisel Privathotels on the sale of Hotel Königshof in Munich

3 November 2021

DLA Piper has advised the Munich hotel group Geisel Privathotels on the sale of "Neubau Hotel Königshof" to the family-owned company Inka Karlsplatz GmbH & Co. KG (Inka Karlsplatz). As project developer, Geisel Privathotels will complete the new five-star hotel building in Munich's city centre at Karlsplatz (Stachus) by mid-2023.

DLA Piper advises Tillotson on the acquisition of the ignition technology division of the PVL Group from insolvency

29 June 2021

DLA Piper has advised Tillotson on the acquisition of the business operations of the ignition technology division of the PVL Group from insolvency administrator Volker Böhm of Schultze & Braun.

DLA Piper announces International Restructuring practice leadership changes

14 June 2021

DLA Piper has appointed partners Chris Parker and Dietmar Schulz as International Co-Chairs of the firm's Restructuring practice.

Chris and Dietmar succeed Peter Somekh, who after many successful years will be focusing on his roles as Regional Managing Partner for the Middle East and Managing Partner for DLA Piper Africa, as well as remaining an active partner in the practice.

DLA Piper advises IHG Hotels & Resorts on continuation of Tidal Group hotels and transfer to new operator Westmont

2 March 2021

DLA Piper has advised the global InterContinental Hotels Group (IHG) Hotels & Resorts on the continuation of 10 hotels of franchisee Tidal Operations Germany GmbH (TOG) and the subsequent transfer to a new operator, Westmont Hospitality Group (Westmont).

DLA Piper appoints new International Head for Finance, Projects & Restructuring practice

25 February 2021

DLA Piper today announces the appointment of David Trott as a partner, and International Group Head of the firm's Finance, Projects and Restructuring group.

DLA Piper advises Otto Group on the sale of Hansecontrol to Qima

15 February 2021

DLA Piper has advised Otto Group in relation to the agreement to sell its Quality Assurance and Product Safety service provider, the Hansecontrol Group headquartered in Hamburg, to Qima, a leading global provider of supply-chain compliance solutions, headquartered in Hong Kong.

DLA Piper advises Lufthansa Group as main creditor in ZIM Flugsitz insolvency proceedings

11 January 2021

DLA Piper has successfully advised the Lufthansa Group with its entities Deutsche Lufthansa AG, Lufthansa Technik AG and SWISS as main client and main creditor in the insolvency proceedings of ZIM Flugsitz GmbH.

DLA Piper advises Lufthansa Technik AG on the sale of its majority stake in Lufthansa Bombardier Aviation Services

7 January 2021

DLA Piper has advised Lufthansa Technik AG on the sale of its majority stake in Lufthansa Bombardier Aviation Services GmbH to the Canadian business jet manufacturer Bombardier. Lufthansa Technik AG previously held 51 percent of the joint venture and Bombardier 29 percent. A further 20 percent were held by co-shareholder ExecuJet, which also sold its shares to Bombardier.

DLA Piper advises on sale of FLABEG to CORDET

2 October 2020

DLA Piper has advised the insolvency administrator of the automotive supplier FLABEG, lawyer Volker Böhm of Schultze & Braun, on the sale of the group with headquarters in Germany and international sites (France, Hungary, China, Brazil, USA) to international investment company CORDET.

DLA Piper lawyer elected INSOL Europe Council Member

1 October 2020

DLA Piper Restructuring counsel Florian Bruder has been elected member of the Council of the INSOL Europe insolvency association, where he will represent Germany for the next three years, effective 2 October 2020.
