

FINANCE AND FINANCIAL SERVICES

Our Clients

Katten is a recognized market leader in representing financial institutions including commercial banks and other lending institutions, bank and financial holding companies, money center banks, investment funds, investment banks, broker-dealers, futures commission merchants, savings associations, insurance companies, credit unions, and trust companies and their respective parent holding companies in all aspects of their businesses. Our attorneys have extensive experience in a variety of industries, including energy, real estate, health care, gaming, hospitality, aviation, manufacturing and agriculture, among others.

Our Services

Katten's experienced finance, regulatory, insolvency, real estate, tax and litigation attorneys work together across our US, London and Shanghai offices to support the business needs of our financial institution clients worldwide.

Our Commercial Finance practice represents banks, investment funds, finance companies and other financial institutions providing debt capital in a wide variety of financing transactions, including leveraged buyouts (LBOs), acquisition and growth financing, refinancings, cross-border transactions, restructurings, debt conversions, and recapitalizations. Our Real Estate Finance and Lending team is accustomed to dealing with the complex financing structures in real estate transactions and creatively orchestrating the best outcomes for our clients. Our Insolvency and

RECOGNIZED BY

- *BTI Litigation Outlook 2018*
 - Securities and Finance Litigation Honor Roll
- *The Legal 500 United Kingdom*
 - Corporate and Commercial – Financial Services (Non-Contentious/Regulatory) 2019, 2017
- *The Legal 500 United States*
 - Financial Services: Litigation 2018, 2017



Restructuring practice represents domestic and international banks and other financial institutions in their capacity as administrative agent in connection with the restructure of large syndicated loans, "club" and middle-market loans, and individual lenders in bilateral credit transactions and debtor-in-possession financing. We also represent indenture trustees in corporate trust default administration in workouts, bankruptcy proceedings and related litigation.

Our Financial Services attorneys advise financial institutions, exchanges, market intermediaries, asset managers and proprietary trading firms on regulatory, tax, corporate and compliance matters. We assist in structuring, negotiating and documenting both structured investments as well as the full range of exchange-traded and over-the-counter (OTC) derivatives transactions. Our attorneys guide clients through all aspects of

regulatory compliance and provide comprehensive representation in investigations and enforcement actions brought by the Securities and Exchange Commission (SEC), Department of Justice (DOJ), Commodity Futures Trading Commission (CFTC), Financial Industry Regulatory Authority (FINRA), Federal Reserve, Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), state regulators, and securities and futures exchanges. In addition, we counsel both first-time and well-established sponsors in the formation of funds in a variety of sectors of the fund industry, including hedge funds, venture funds, LBO funds, mezzanine funds, real estate funds, commodity and futures funds, industry-specific funds, and funds-of-funds.

Katten litigators understand the full range of financial services and products—from exchange-traded securities, options, futures and commodities, to the most complex OTC swaps and derivatives—and are deeply familiar with the compliance and supervisory regimes, capital structures and real-world business interests of the industry. We litigate class actions arising under the Exchange Act, the Securities Act, the Investment Advisers Act, the Commodity Exchange Act, the Sherman Antitrust Act and regulations promulgated under those and other statutes. Our experience extends to commercial lender liability litigation, including defending allegations of breach of contract, breach of fiduciary duty, fraud, negligence, tortious interference

and Uniform Commercial Code (UCC), Fair Credit Reporting Act (FCRA) and Truth-in-Lending Act (TILA) disputes. We manage proceedings in bankruptcy, district and circuit courts, including actions with respect to the automatic stay, the use of cash collateral, a debtor's exclusive right to file a plan of reorganization, and the plan disclosure and confirmation process. Our patent and intellectual property litigators are experienced in handling matters at the intersection of financial services and technology, representing financial institutions and their vendors in patent litigation and dispute resolution and all other areas of intellectual property.

We service our financial institution clients from an international platform, offering seamless global coverage. Katten's London office works closely with our US offices to provide advice to a broad spectrum of domestic and international financial institutions, fund managers, trading advisors, banks, brokerages and proprietary trading firms in all aspects of exchange-traded and OTC commodities, securities and derivatives transactions. Our China practice regularly represents both US and European financial institutions doing business in China, as well as Chinese companies in their business activities in the United States. We represent financial institutions and other international investors in all aspects of structuring and establishing investment vehicles throughout China, including forming wholly foreign-owned enterprises (WFOEs) and negotiating joint ventures.