

Summary of Contents

Volume 1

PART I. WORKOUT STRATEGIES AND CONCERNS

- Chapter 1. Introduction to Workout Process
- Chapter 2. Preliminary Workout Analysis
- Chapter 3. Workout Options and Documentation
 - Appendix 3A. Prenegotiation Letter
 - Appendix 3B. Forbearance Agreement (Real Estate)
 - Appendix 3C. Forbearance Agreement (Residential Real Estate-Development Loan)
 - Appendix 3D. Forbearance Agreement (Asset-Based Loans)
 - Appendix 3E. Forbearance Agreement-Inserts

PART II. LITIGATION AND WORKOUT RISKS

- Chapter 4. Analysis of Workout and Litigation Risks
- Chapter 5. Environmental Claims
 - Appendix 5A. CERCLA Definitions
 - Appendix 5B. Abatement Actions Under CERCLA
 - Appendix 5C. Liability Under CERCLA
 - Appendix 5D. Civil Penalties and Awards Under CERCLA
 - Appendix 5E. Settlements Under CERCLA
 - Appendix 5F. Underground Storage Tank Indemnification Agreement—Buyer and Lender Protection
- Chapter 6. Securities Laws
 - Appendix 6A. Definition of Security Under Securities Act of 1933 (15 U.S.C.A. Section 77b(a)(1))

- Appendix 6B. Prohibitions Re Interstate Commerce and Mails Under Securities Act of 1933 (15 U.S.C.A. Section 77e)
- Appendix 6C. Manipulative and Deceptive Devices Under Securities Exchange Act of 1934 (15 U.S.C.A. Section 78j)
- Appendix 6D. Employment of Manipulative and Deceptive Devices Under Sec Rule 10b-5 (17 C.F.R. Section 240.10b-5)
- Appendix 6E. State Securities Law Claims
- Chapter 7. Multilender Transactions

Volume 2

PART III. BANKRUPTCY CONSIDERATIONS

- Chapter 8. Bankruptcy Process
- Chapter 9. Automatic Stay
- Chapter 10. Claims
- Chapter 11. Use, Sale or Lease of Assets
- Chapter 12. Financing and Use of Cash Collateral
 - Appendix 12A. Motion for Order Authorizing Debtor to Obtain Secured Financing, Grant Security Interests and to Accord Priority Status Pursuant to 11 U.S.C.A. § 364(c)(1), and for Modification of Automatic Stay
 - Appendix 12B. Order Authorizing Debtor-in-Possession to Obtain Financing, Grant Security Interests and Accord Priority Status Pursuant to 11 U.S.C.A. § 364(c), Giving Notice of Final Hearing Pursuant to Federal Rules of Bankruptcy Procedure 4001(c)(2) and Modifying Automatic Stay
 - Appendix 12C. Motion for Order Authorizing Debtor to Obtain Secured Financing, Grant Senior and Priming Liens Pursuant to 11 U.S.C.A. § 364(d) and to Accord Priority Status Pursuant to 11 U.S.C.A. § 364(c)(1), and for Modification of Automatic Stay

SUMMARY OF CONTENTS

- Appendix 12D. Order and Notice of Hearing on Debtor's Motion to Obtain Secured Financing, Grant Senior and Priming Liens Pursuant to 11 U.S.C.A. § 364(d), and to Accord Priority Status Pursuant to 11 U.S.C.A. § 364(c)(1), and for Modification of Automatic Stay
- Appendix 12E. Order Authorizing Debtor-in-Possession to Obtain Secured Financing, Grant Senior and Priming Liens Pursuant to 11 U.S.C.A. § 364(d) and Accord Priority Status Pursuant to 11 U.S.C.A. § 364(c)(1), and Modifying Automatic Stay
- Appendix 12F. Debtor's Motion for Use of Cash Collateral and for a Preliminary Hearing
- Appendix 12G. Consent Order Allowing Use of Cash Collateral and Providing Adequate Protection
- Chapter 13. Avoidance Powers
- Chapter 14. Reorganization Plan
- Chapter 15. Municipal Debtor
 - Appendix 15A. Voluntary bankruptcy petition for county
 - Appendix 15B. Bankruptcy Reform Act of 1994—Amendment to 11 U.S.C.A. § 109(C)(2)
 - Appendix 15C. Florida Statutes

PART IV. CREDITOR RIGHTS AND RESPONSIBILITIES INVOLVING COLLATERAL

- Chapter 16. Creditor-In-Possession, Default and Taking Possession of Personal Property Collateral
 - Appendix 16A. OCGA § 13-4-4. Effect of Mutual Departure From Contract Terms
 - Appendix 16B. Contractual Provision
- Chapter 17. Foreclosure Sales and Disposition
- Chapter 18. Default and Foreclosure Issues for Particular Collateral
 - Appendix 18A. Aircraft Equipment and Vessels (11 U.S.C.A. § 1110)

Appendix 18B.	Ship Mortgage Remedy Provision
Appendix 18C.	Maintenance of Collateral

**PART V. REGULATORY RESTRICTIONS ON
LENDERS**

Chapter 19. Regulatory Restrictions on Lenders

Table of Laws and Rules

Table of Cases

Index