



Banking & Finance

At Seltzer Caplan McMahon Vitek, we offer full-service representation covering the broad range of legal matters that arise in connection with complex secured lending transactions. We provide experienced and comprehensive legal guidance for our sophisticated clients who actively conduct business in the banking and finance industry.

SCMV attorneys represent lenders and borrowers in connection with a variety of secured lending transactions. We are experienced in the documentation, negotiation, and closing of real property-secured loan transactions for the financing of office, hotel, retail, commercial, industrial, and multi-family residential properties.

We are regularly engaged by our clients to handle acquisition loans, development loans, construction loans, and ground lease loans of all types involving real property asset collateral. We are also experienced in the documentation, negotiation, and closing of personal property-secured loan transactions for the financing of intellectual property, marketable securities, negotiable instruments, accounts receivable, life insurance, aircraft, watercraft, and equipment assets.

Our clients engage us to handle line of credit loans (revolving and non-revolving) of all types involving personal property asset collateral. Finally, we are experienced in the documentation, negotiation, and closing of loan participation transactions, loan syndication transactions, CMBS loan transactions, and defeasance loan transactions.

SCMV attorneys are prepared to offer detailed analysis and advice regarding, among other matters, the following:

- Preparation and negotiation of loan documents
- Formation of legal entities to satisfy lender underwriting and rating agency requirements (including single purpose entity/single asset entity requirements and revocable/irrevocable trust requirements)
- Legal due diligence investigation of real property asset collateral (including title, survey, leases, licenses, agreements, and other matters)
- Legal due diligence investigation of personal property asset collateral (including title, registrations, filings, contracts, licenses, agreements, and other matters)
- Legal due diligence investigation of recorded liens, judgments, litigation and bankruptcy matters affecting borrowers, pledgors, guarantors, and/or asset collateral

Services

- Real Property-Secured Loans
- Personal Property-Secured Loans
- Acquisition Loans
- Development Loans
- Construction Loans
- Ground Lease Loans
- Line of Credit Loans
- Loan Participations
- Loan Syndications
- CMBS Loans
- Defeasance Loans

- Delivery and/or receipt of legal opinion letters
- Loan structure alternatives available for multiple borrowers, multiple pledgors, multiple guarantors and/or multiple asset collateral secured loan transactions

At Seltzer Caplan McMahon Vitek, our primary task in the Banking and Finance practice area is to persistently advocate for our clients' best legal and business interests in the negotiation of their secured lending transactions.

At Seltzer Caplan McMahon Vitek, we know that appellate advocacy requires exceptional attention to detail. Successfully pursuing an appeal demands mastery of a complete legal repertoire, from the 'big picture' encountered in the trial context to the rules and procedures that may be applicable to the appeal.

Research, experience, legal sophistication, and good judgment all must be harmonized into an appeal of such persuasive strength that it motivates an appellate court to overturn a trial court's decision. Likewise, successfully defending an appeal to preserve a hard-fought victory at trial requires the same effort and expertise.

With a strong record based on pursuing and defending appeals with both diligence and energy, SCMV has the expertise to handle appeals in both State and Federal courts.

When a business, organization or individual is either seeking to preserve a victory or considering pursuing an appeal, as our client, you'll have aggressive and skilled attorneys on your side.