

FINANCE

OVERVIEW

The Finance team at Bryan Cave Leighton Paisner (BCLP) advises all segments of the financial services industry, providing business-sensitive solutions to complex problems. We are trusted by many of the world's leading financial institutions, assisting with a broad spectrum of their needs.

The lawyers on our Finance team provide a fully-integrated service, offering transactional and regulatory advice to a broad spectrum of clients including banks, non-bank lenders, borrowers, fintech companies, and government agencies. We understand that finance problems can be complex, and that clients want commercially-based solutions with a firm understanding of the sector.

Clients come to us for assistance with all aspects of finance, including:

- Aviation Finance
- Banking & Lending
- Structured Finance
- Funds Finance
- Real Estate Finance
- Debt Restructuring and Insolvency
- Transport & Asset Finance
- Fintech
- Financial Regulation
- Project & Infrastructure Finance
- Islamic Finance
- Capital Markets
- Corporate Trusts

- Securitization
- Structured Debt and Capital Markets
- Venture Capital

As well as our core legal teams in the UK and US, we have a truly global network of lawyers with experience of jurisdictions as different as Singapore, Germany and Hong Kong SAR. BCLP's global reach means we can ensure transactions are completed efficiently and professionally.

MEET THE TEAM



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AREAS OF FOCUS

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- Fintech
- Islamic Finance & Investment Team
- Real Estate Finance
- Restructuring & Insolvency/Special Situations
- Structured Finance
- Transport & Asset Finance

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Issuance of Reverse Yankee Bonds remains active

The sale of Reverse Yankee bonds by prominent US issuers – often with higher credit ratings – has recently continued at a rapid pace. Reverse Yankee bonds are debt securities issued by US issuers that are denominated in a foreign currency, frequently in euros or sterling. The Reverse Yankee bond market offers US issuers additional ways of obtaining debt financing on favourable terms. Prominent US companies that have tapped the Reverse Yankee bond market in 2023 and year-to-date 2024 include Honeywell International, Becton, Dickinson and Company, AT&T, Proctor & Gamble, Paccar, Caterpillar, insurance companies New York Life and Pacific Life and automobile makers Ford Motor, American Honda and Toyota Motor Credit Corp.

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Fair's fair: the concept of fairness in Part 26A Restructuring Plans

Is there now an established test of fairness for the sanction of a Part 26A Restructuring Plan? In *Re Virgin Active* [2021] EWHC 1246 (Ch) at [219]-[221], the Court was quick to dismiss the idea despite remarks to the contrary included within the Explanatory Notes to the Corporate Insolvency and Governance Act 2020 (“CIGA 2020”). However, subsequent Part 26A cases have demonstrated that the Court will weigh in on the fairness of a Plan prior to sanction and is prepared to test Plan proponents in the interests of those being compromised. The general approach and level of scrutiny applied to the question of fairness by the Court tends to differ from case to

case, often depending upon the level of challenge posed by Plan creditors, and is not confined to a consideration of such matters only within the context of cross-class cram down under section 901G Companies Act 2006 (“CA 2006”). Particularly in light ...

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