

# Bank & Lender Services

## ATTORNEYS

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For more than five decades, Bean, Kinney & Korman has taken pride in the development and expansion of the legal support it provides to banking and lender clients. We take to heart the qualities of responsiveness, knowledge, experience and cost-effectiveness that are essential to lenders.

We service the entire loan life cycle, from credit inception through closing, restructure and enforcement, and asset disposition.

### Commercial Lending

We understand credit structuring and the underwriting considerations that drive it. We are experienced with a wide range of commercial lending, including:

- general asset-based commercial lending
- real estate-based commercial lending
- construction lending
- government contract lending
- technology industry lending
- religious organization lending
- SBA lending programs

### Credit Enforcement and Collection

When credits weaken and fail, our attorneys provide insightful and practical guidance on credit enforcement and collection, including:

- workout and restructure strategy
- lender positioning to maximize recovery through foreclosures

- asset seizures and sales
- sales of credits and disposition of collateral

### **Bankruptcy**

Our knowledge and depth of experience in bankruptcy matters is an extraordinarily valuable resource for our lender clients who find their collateral and credits at risk in reorganization and liquidation proceedings.

### **Real Estate**

Lenders value our ability to bring depth of experience in other disciplines to support our creditor representation. When real estate collateral is involved, we have readily available depth of knowledge in:

- zoning and land use
- commercial leasing
- environmental matters
- title insurance and title disputes

### **Additional Legal Services to Banks and Lenders**

We provide experienced counsel in loan participations, sales of credits, subordinations and other inter-creditor and intra-creditor transactions, where our practical and technical skills in deal structuring, drafting and problem spotting have repeatedly delivered value to our clients.

### **Litigation**

Despite their most conscientious efforts, lenders still find themselves faced with liability claims that demand knowledgeable, skilled, and above all, common sense litigation capabilities. We understand lender liability issues and can see through the emotion to stay focused on the business equation that underlies all commercial litigation.

### **Appropriate Staffing of Cases**

Our attorneys are particularly sensitive to pricing pressures that lenders are constantly under to make their financial products marketable, and the legal expense considerations that affect our clients' economic performance. We staff our lending services at experience levels appropriate to the complexity of the work and will readily consider alternative fee structures to best integrate our services with our clients' business strategies.

We are proud of our tradition and reputation in representing local, national and international institutional lenders and welcome the opportunity to become part of your team.

## **PUBLISHED ARTICLES**

Are We Partners?  
January 12, 2021

Why You Should Consider Opting for Arbitration During the Coronavirus Pandemic  
*American Bar Association - Practice Points*, November 30, 2020

Federal assistance may prolong bankruptcy filings  
*Virginia Lawyers Weekly*, June 1, 2020

Force Majeure and the Doctrine of Impossibility  
*Business Crimes Bulletin, LJN*, April 20, 2020

SBA Paycheck Protection Loans under the CARES Act  
April 4, 2020

Maryland COVID-19 Small Business and Nonprofit Assistance  
March 24, 2020

4 Tips for Businesses Impacted by the Coronavirus  
March 24, 2020

Coronavirus Force Majeure and Real Estate Leases  
March 16, 2020

Assignment and Consent Standards in Commercial Leases  
*Commercial Leasing Law & Strategy*, March 6, 2020

Virginia Employers: Are Your Non-Competes Enforceable?

August 1, 2018

To Stay Clear of Stay Violations, Action May be Required  
*BKK Business Law Newsletter*, July 2, 2015

Bankruptcy: Preference Defendants Don't Feel "Preferred"  
*BKK Business Law Newsletter*, March 4, 2014

Pitfalls on Termination: Employer May be Liable for Employees'  
Loose Talk  
*BKK Business Law Newsletter*, July 1, 2013

Wrestling with the Trustee's Strong Arm: Defending Avoidance  
Actions Under Section 544 of the Bankruptcy Code  
*Title Insurance Litigation Committee News*, December 18, 2011

Virginia Judges Weigh in on Whether Absolute Priority Rule Still  
Applies in Individual Chapter 11 Cases  
*Bankruptcy Law News*, May 18, 2011

Community Banks Step Into A New Role  
*Commercial Investment Real Estate magazine*, June 18, 2010

Claims for Post-Petition Legal Fees By Unsecured Creditors  
*Bankruptcy Law News Volume XXIV, No. 2*, July 18, 2009

Averting Foreclosure with a Deed-in-Lieu  
*Virginia Builder*, May 1, 2009

The Law of Closing Protection Letters  
*Tort and Insurance Law Journal, Volume 36, Number 3*, April  
18, 2001

How Bankruptcy Affects Real Estate Titles and Bankruptcy  
Risks Covered by Title Insurance  
*Title Insurance Litigation Committee Spring Meeting*, March 18,  
2001

## **NEWS**

Bean, Kinney & Korman Named a 2022 "Best Law Firm" for  
Eleventh Consecutive Year  
Thursday November 4, 2021

Charles (Chas) McAleer, Dean Luo and Harrison Clinton Join  
Bean, Kinney & Korman  
Friday February 12, 2021

Bean, Kinney & Korman Named a 2021 “Best Law Firm” for  
Tenth Consecutive Year  
Thursday November 5, 2020

John Kelly was quoted within article: Inside the hardball legal  
tactics retail landlords are using against tenants  
*The Real Deal*, Thursday July 23, 2020

Kandis M. Koustenis and Dusko J. Stojkov Join Bean, Kinney &  
Korman  
Thursday June 18, 2020

Joe Meadows quoted within article: Businesses should avoid  
court battles over online reviews  
*The Colorado Springs Business Journal*, Friday April 5, 2019

Jennifer Brust and James Schroll will teach Secured Finance at  
George Mason University School of Law  
Thursday August 12, 2010

## **SEMINARS & EVENTS**

Negotiating and Drafting Secured Real Estate Finance  
Transactions  
Online, Thursday, November 5, 2020

Overview of Virginia Department of Labor and Industry COVID-  
19 Regulations for Employers  
Online, Tuesday, August 4, 2020

Shared Workspace Leases in Wake of COVID-19: Risk  
Mitigation, Insurance, Negotiating Key Provisions  
Online, Thursday, July 16, 2020

Women Mean Business Committee Presents:  
Online, Tuesday, April 21, 2020

Negotiating Key Provisions in Shared Work Space Agreements  
Webinar, Tuesday, November 12, 2019

Internet Defamation: Defend Against Defamers and Cyber-attackers

Bean, Kinney & Korman :: 2300 Wilson Blvd. :: 1st Floor  
Conference Room :: Arlington, VA 22201, Thursday, October 25, 2018

“Complex Issues in Bankruptcy: From the Supreme Court to the Practice Court – Tricky Issues in Chapter 11 Cases”  
Crowne Plaza Richmond West, Richmond, Virginia, Friday, March 30, 2012