

## BANKING & FINANCE

The Firm's Banking and Finance department advises borrowers, financial institutions, investment funds and public bodies on their financing transactions. With a strong experience of providing advice on financial deals and a recognized expertise in all litigation practices, our team efficiently handles the structuring, the negotiation and the implementation of our clients' financing, with a tailored approach based on their specific aims and requirements.

### • OUR STRENGTHS

***Our ability to provide guidance on all kinds of financing structures*** and understand the issues encountered by our clients :

- From the negotiation of the term sheets to the implementation of the financing agreements
- From the evaluation of risks to the analysis of their potential impact, including in terms of tax
- Through the setting up of security packages

### ***Our multidisciplinary technical expertise***

Our collaboration with other teams within the Firm, particularly the Tax, Public Business Law and Capital Markets practices, enables us to :

- Provide operational advice for all project finance legal issues
- Share our capacity for elaborating and structuring financing operations that show long term efficiency
- Bring legal security to financing transactions

### • AREAS OF INTERVENTION

#### *Leveraged Acquisitions of companies*

- Leveraged buyout, owner buyout, buy in management buyout
- Senior, mezzanine and subordinated debt, regardless of its nature (whether through bank funding or issue of securities)

#### *Asset Financing*

- Providing expertise for the financing of assets of all kind : real estate (office buildings) as well as aircraft, rail equipment and other assets
- Assistance in a wide range of financing deals (leasing, loan and discount, with or without recourse)
- Review of ancillary agreements : construction, maintenance, reconditioning, etc.

#### *Project Finance*

- Delivering solutions in any kind of project finance operation, particularly in public-private partnerships
- Assistance with subordinated debt
- Specific expertise in project finance in the energy industry

#### *Guarantees*

- Providing knowledge and advice in the choice and drafting of security packages (assignment of rights, performance bonds, parent company guarantees etc.)

• ASSIGNEMENTS

AREAS	ASSIGNMENTS
Leveraged Buyouts	Assistance of an investment fund in the <b>leveraged buyout of a group of companies</b> : negotiation of the financing documentation (senior and subordinated loan agreements, mezzanine debt, subordination agreement, securities, etc.), corporate and transactional documents (share purchase agreements, covenants, representations and warranties, etc.).
	Assistance of an investment fund in the <b>leveraged buyout of a group of industrial companies</b> : negotiation of the financing documentation (senior and subordinated loan agreements, mezzanine debt, subordination agreement, etc.) and the corporate and transactional documents (share purchase agreements, covenants, real estate investment drafting etc.).
Asset Financing	Assistance of a credit institution in the <b>financing of aircraft</b> (structuring of the financing, setting up of the SPV, negotiation of senior and subordinated debt, lease agreements and associated security packages, etc.).
	Assistance of a public entity ("EPIC") in the <b>refinancing</b> of its head office through a sale and leaseback agreement (review of the feasibility and terms of the proposed refinancing transaction, assistance in drafting and negotiating the necessary contracts, in particular the sale and leaseback agreement and the facilities).
	Assistance of a financial institution in the <b>financing of rail equipment for public authorities through a tax lease</b> (review of the bidding documents, provision of assistance in drafting the successive bids, negotiation and implementation of the leasing and acquisition agreements of rail equipment).
Project Finance	Assistance of a consortium in the negotiation of an <b>energy performance partnership agreement</b> with regional authorities (reviews and comments on the partnership agreement, drafting of the subcontracts, drafting of the corporate documentation [articles of association, shareholders agreement etc.], negotiation of the financing documentation).
	Assistance of a national public body in the renegotiation of financing arrangements following the event of default during the implementation of a partnership agreement.
Project Finance – Concession agreement	Assistance of financial institutions in concession agreements in the areas of energy, environment and sports : review of the concession agreements, involvement in the financial structuring, negotiation of term sheets, financing documentation (leasing, credit or discount), the associated security package, the project documentation, etc..

• CONTACT

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