



Sean M. Monahan

Co-Chair of Finance & Restructuring

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EDUCATION

Cornell Law School
JD, 2004, *magna cum laude*,
Order of the Coif
Editor, *Cornell Law Review*

Bates College
BA, 1998, *summa cum laude*

Sean Monahan is co-chair of Choate's Finance & Restructuring Group. He was selected for the "40 Under 40 Legal Advisor" Award by *The M&A Advisor*. He has also been named a *Massachusetts Super Lawyers Rising Star*.

PRACTICE FOCUS

Sports and Retail Finance

Complex financial transactions for banks and institutional investors, borrowers and issuers in full range of financings, including asset-based and cash flow financings as well as mezzanine loans and other junior capital investments, with a focus on sports lending (including stadium construction loans) and retail lending.

Bankruptcy & Restructuring

Represents trustees, debtors, examiners, secured creditors and unsecured creditors in a variety of creditor's rights and insolvency matters, including workouts, restructurings and bankruptcy proceedings.

Private Equity

Commercial financing transactions for private equity funds and their portfolio companies.

REPRESENTATIVE ENGAGEMENTS

- Represented Citibank as agent for syndicate of banks and syndicate of insurance companies in connection with \$1.4 billion revolving credit and term loan credit facilities established by NHL US Funding, LLC for eleven National Hockey League Clubs.
- Represented John Hancock in connection with credit facility required to construct basketball arena for the Golden State Warriors.
- Represented DIP Agent in connection with \$ 100 million debtor-in-possession credit facility provided to Pacific Sunwear, Inc.

ADMISSIONS

Massachusetts

U.S. District Court,
Massachusetts**PRACTICE AREAS**

Finance

Bankruptcy & Restructuring

Private Equity

- Represented Bank of America, as agent, in connection with credit facility established for preeminent fly-fishing retailer.
- Represented JPMorgan, as agent, in connection with credit facilities established for the Seattle Mariners and its affiliates.
- Represented Bank of America, as agent, in connection with credit facilities established for the St. Louis Cardinals and its affiliates.
- Represented Salus Capital Partners, LLC, as agent, in connection with debtor-in-possession financing to envelope maker NE Opco Inc. (d/b/a National Envelope). Named Restructuring Deal of the Year by *The M&A Advisor*.
- Represented syndicate of banks agented by Bank of America in connection with US and Canadian revolving credit facilities established for Clean Harbors, Inc. and its affiliates.
- Represented syndicate of banks agented by Citibank in connection with revolving and term loan credit facilities established for Washington Capitals NHL team and term loan credit facility established for Washington Wizards NBA team.
- Represented Chapter 11 debtor Western Massachusetts Lifecare Corporation in connection with Section 363 sale of continuing care retirement community located in Massachusetts and plan confirmation.
- Represented Citicorp as agent for syndicate of lenders in connection with credit facilities for acquisition by Craig Leopold of Minnesota Wild and Xcel Energy Center operating rights.
- Represented Bank of America as agent for syndicate of lenders in connection with \$2 billion credit facility established by Office of Commissioner of Major League Baseball for twenty-two clubs.
- Represented Chapter 11 Trustee of High Voltage Engineering Corporation with \$200 million asset sale, debtor-in-possession financing facility and various other matters.
- Represented RBS Business Capital in connection with Article 9 sales of video production company with operations in New York, California and Colorado.
- Represented JPMorgan as agent for syndicate of lenders in connection with credit facility required to construct new ballpark for Miami Marlins.
- Represented Citicorp as agent for syndicate of lenders in connection with credit facility for Roush Fenway Racing NASCAR team.

PUBLICATIONS AND PRESENTATIONS

- "Proposed Chapter 11 Reforms May Be Bad For Borrowers," *co-author, Bankruptcy Law360*, March 2015.
- "PACA and Bankruptcy: What Secured Lenders Must Know," *co-author, Bankruptcy Law360*, May 2014.

- “Caution: Make-Whole Provisions Are Taken at Face Value,” *co-author, Bankruptcy Law360*, November 2013.
- “Debtor’s Counsel, Be Careful Who You Help,” *co-author, Bankruptcy Law360*, March 2013.
- “Viewpoint: Court Ruling Endangers 'Credit Bidding',” *co-author, American Banker*, April 2010.
- “A Shifting Tide for Secured Lenders,” *co-author, Law360*, November 2009.
- “Bankruptcy Law Conference,” *faculty member, Massachusetts Continuing Legal Education, Boston*, October 2008.
- “A Tempest in a Teapot: State Sovereign Immunity and Federal Administrative Adjudications in *Federal Maritime Comm’n v. South Carolina State Ports Authority*,” *author, Cornell Law Review*, 2003.

PROFESSIONAL AND COMMUNITY INVOLVEMENT

Mr. Monahan is a member of the American Bankruptcy Institute, the Turnaround Management Association, the Boston Bar Association and the Massachusetts Bar Association. He lives in Salem, Massachusetts, with his wife and daughters.