

Mark D. Silva

CO-HEAD OF ASSET BASED LENDING

617-248-5127 msilva@choate.com

Mark Silva is a Partner in Choate's Finance and Restructuring Group and Co-Head of the Asset Based Lending practice. He advises financial institutions and corporate borrowers on all matters related to financings. Known for his creative yet measured approach to complex transactions, Mark assists clients with international debt financings, debt workouts and restructurings, asset-based credit facilities, second-lien and split-lien credit facilities, leveraged acquisitions, retail finance, multinational credit facilities, and intercreditor arrangements. He works with a wide range of clients but has particularly deep experience in the retail, biotechnology, healthcare, life sciences, manufacturing, and financial services industries.

Focus Areas

Finance and Restructuring

- Restructuring and Bankruptcy

Recognition

- *Chambers USA* (2017-2026)
- Commercial Finance Association "40 Under 40" Award (2016)
- *IFLR1000* Notable Practitioner: Banking
- *Business Today* "Top 10 Banking and Finance Legal Influencers in Massachusetts 2023"

Representative Engagements

- Bank of America, N.A., as agent, in two DIP financings totaling more than $3.35 billion for Rite Aid Corporation in its Chapter 11 cases.
- Bank of America, N.A., as agent and lender, in a $500 million senior secured asset-based exit facility, including a $200 million accordion, for At Home Group Purchaser LLC in connection with At Home's emergence from Chapter 11.
- Bank of America, N.A., as administrative agent and collateral agent, in a $325 million amended and restated revolving credit facility for Barnes & Noble Education, Inc. in connection with its out-of-court debt and equity restructuring.
- Ares Capital Management, as administrative agent, in a $150 million ABL revolving credit facility for Fossil Group, Inc. in connection with Fossil's out-of-court exchange and restructuring transactions.
- Pathlight Capital LP, as term loan agent, in connection with Hudson's Bay Company's CCAA proceedings.
- Borrower-side counsel to sponsor-backed retail operators in connection with approximately $2 billion in revolving and term loan facilities for acquisition and ongoing working capital needs.
- Truist Bank, as administrative agent, in a $600 million fourth amended and restated revolving credit facility for Central Garden & Pet Company.
- Bank of America, N.A., as administrative agent, issuing bank and swing line lender, in a $900 million

© 2026 Choate, Hall & Stewart LLP | Two International Place, Suite 3000 | Boston, MA 02110 | 617-248-5000

amended and restated credit facility for Bruker Corporation and its subsidiaries.

- Tiger Finance, LLC, as administrative agent, lead arranger and bookrunner, in a $25 million revolving credit facility to manufacturer of high end musical instruments.
- Leading commercial financial institution as administrative agent, for a syndicate of lenders, in connection with a $45 million secured asset-based credit facility to a tool and equipment retailer.
- Leading international bank as administrative agent in connection with an amendment and restatement to an existing $325 million asset-based revolver credit facility to a leading solutions provider for the education industry.
- Leading international bank as agent, for a syndicate of lenders, in connection with a $3.6 billion multicurrency, cross-border senior secured credit facility to a specialty biopharmaceutical company.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with $2.5 billion unsecured senior credit facilities to a healthcare technology company.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $3.1 billion senior secured asset-based credit facility to a leading drugstore chain.
- Portfolio retail companies of a consortium of private equity sponsors, in connection with $2.775 billion of senior secured asset-based credit facilities.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $1.5 billion unsecured senior credit facility to a public university.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $900 million unsecured senior credit facility to a healthcare technology company.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $1.6 billion senior secured asset-based credit facility to a leading jewelry retailer.
- Leading international bank as administrative agent in a $190 million multicurrency, cross-border senior secured credit facility to an integrated specialty paper company, in connection with a dividend-recapitalization.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $225 million senior secured asset-based credit facility to an apparel retail company.
- Leading commercial financial institution as agent and lender in a $50 million FILO term loan facility to a specialty retailer.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with an out-of-court restructuring of an $80 million senior secured asset-based credit facility to an apparel retail company.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $225 million senior secured asset-based credit facility to a marine products retailer and wholesaler, in connection with the acquisition of the borrower by a private equity sponsor.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $140 million senior secured asset-based credit facility to a privately held liquor retailer and wholesaler.
- Leading international bank as administrative agent in a $150 million senior secured credit facility to a practice management company and certain of its affiliates, in connection with a minority acquisition by a private equity sponsor.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $300 million senior secured asset-based credit facility to an apparel retailer and subsequent bankruptcy proceedings.
- Leading international bank as administrative agent in a $750 million multicurrency, cross-border senior credit facility to public clinical research and development company and certain of its subsidiaries.
- Leading commercial financial institution as agent and lender in a $35 million FILO term loan facility to a specialty retailer.

- Leading international bank as administrative agent in a $147.5 million senior secured multicurrency, cross-border credit facility to a surgical products manufacturer.
- Leading international bank as administrative agent, for a syndicate of lenders, in connection with a $235 million senior secured asset-based credit facility to a privately held grocery store chain.

Publications and Presentations

- "Lender on Lender Violence Turns Up the Heat," panelist, SFNet Asset-Based Capital Conference, February 2025

Education & Credentials

- Boston College Law School, JD (2005)
- State University of New York at Buffalo, BA (2000)

Admissions

- Massachusetts