

Secured Financing

Secured finance and the many sub-categories of asset-based lending are a specialty area for Moroğlu Arseven, along with all aspects of surety and guarantee issues. The firm assists borrowers, lenders, syndicated groups and interested parties with innovative and unusual debt capital transactions, spanning all aspects of the financing and security chain.

Moroğlu Arseven's structured finance advice adopts a broad legal perspective, with a particular focus on appropriate risk allocation, along with strategic commercial considerations. These factors ensure financial, surety and guarantee advice are grounded and align with each client's long-term aims.

Moroğlu Arseven has a significant track record for handling complex financial transactions, requiring a high level of attention, creativity, and cross-border expertise. Our diverse range of clients includes banks, financial institutions, lessors, manufacturers, borrowers and export credit agencies, among others.

The firm's secured finance support often involves complex and high-value deals, which span international borders and involve multiple parties or financing steps. We work closely with clients throughout transactions, from the initial due diligence and term sheet negotiations, through to documenting surety, guarantee and collateral structures, carrying out execution and post-closing steps. We also support with post-transaction issues, such as refinancings, workouts, complex intercreditor disputes, along with loan enforcement processes and asset recoveries during insolvency.

Moroğlu Arseven assists clients to tailor their international finance structures and documents to suit the local environment and its unique dynamics. Global approaches often require significant amendments or comparative analysis to ensure they comply with Turkish legislation and regulatory obligations, while simultaneously also accurately reflect clients' intended risk allocations and commercial goals.

We support major banks and financial institutions with customized local financing and security matters, closely supporting their Turkish operations and commercial strategy. Our board experience with financial and security arrangements means the firm has a strong ability to integrate acquisition finance elements with transactional practice areas, such as during merger, acquisition or joint venture projects.

Moroğlu Arseven's experience and cross-discipline approach mean the firm can identify potential issues, often early in a deal. In turn, this proactive approach reduces disputes, risks and unnecessary costs for our clients.

Commercial finance

Moroğlu Arseven regularly supports lenders, borrowers and guarantors with commercial, working capital and bridge finance transactions, including private as well as institutional entities on both sides of the table. These transactions range from traditional day-to-day commercial lending transactions, credit letters, debt servicing and revolving credit facilities, through to transactions involving complex securitization and derivatives. Our assistance includes risk, tax and structuring aspects of secured and unsecured bank debt, private placements,

and foreign collateral, as well as debt and credit facilities.

Our strong corporate and dispute resolution teams contribute to supporting our commercial finance clients, helping to protect against unnecessary costs and disputes arising from commercial finance transactions.

Acquisition and leveraged finance

Moroğlu Arseven has particular depth and breadth of experience regarding acquisition, recapitalizations and leveraged buyout transactions, regularly supporting clients in multi-layered and cross-border projects. The firm provides grounded and commercially focused legal support to public and private clients, which is tightly integrated with expertise in related practice areas, such as mergers, acquisitions, as well as tax.

We advise local, foreign and multinational clients in this context regarding a full spectrum of senior and subordinated debt issues, including mezzanine, high yield, bridging, as well as other debt facilities. Our clients are involved in leveraged buy-outs, private acquisitions, public to private transactions, as well as exit financings.

Whether a deal is structured as an asset purchase, stock purchase, merger or tender bid, the firm assists clients to navigate the various issues which arise in the context of funding acquisition and creating legal structures to best support our clients' needs.

Asset finance

Moroğlu Arseven has broad experience with both traditional and innovative asset financing techniques for strategically financing or disposing of complex asset portfolios. The firm's industry knowledge allows us to leverage and navigate the unique dynamics of each sector or asset type, as well as to mitigate sector-specific risks, obligations, and liabilities for our clients.

Our asset finance experience includes transactions involving aviation, rolling stock, mining equipment, vessels, vehicles, and yellow goods, as well as telecommunications and energy infrastructure. It also extends to plant, equipment and facilities for industrial and manufacturing operations.

Trade and commodity finance

Moroğlu Arseven advises on all aspects of trade and commodity finance along with related structured finance products, minimizing the associated risks and supporting our clients to focus on their core businesses. The firm advises lenders, borrowers, traders, brokers, trade finance banks, export credit agencies, insurers and transporters, among others. These clients are involved with a full range of commodities, including both hard and soft commodities, as well as raw materials, oil, energy, futures and derivatives.

International trade finance markets are continually changing, affected in particular by fluctuating currencies, commodity prices and the rise of emerging markets, such as Turkey. Trade finance markets also involve complex inter-jurisdictional treaties as well as overlapping governmental regulations and enforcement procedures. We are keenly aware of the legal, practical, commercial and operational considerations which our clients face in this uncertain environment.

Moroğlu Arseven assists with detailed commodity-specific risk assessments and due diligence activities, along with negotiating appropriate risk-mitigation arrangements. The firm's trade finance advice includes bills of exchange, documentary credits, guarantees, insurance, pre- and post-export finance, as well as supply chain, export factoring and borrowing base facility matters.

Our trade finance advice is supported by topic experts from industry-specific practice areas, as well as a strong dispute resolution team and significant experience with international trade regulations.

Related Practices

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