

Corporate Finance Practice

STRUCTURED FINANCE AND SECURITIZATION

Our securitization team has more than 30 years of securitization and structured finance experience, and senior level attorneys with multi-dimensional legal backgrounds including securities litigation, ERISA, bankruptcy and mortgage securitizations.

Our practice has represented major investment and commercial banks, issuers, loan originators, secured creditors, and investors in complex structured finance and other finance transactions, including serving as dealer counsel on single-family and multi-family FNMA and FHLMC mortgage transactions. We have extensive experience structuring transactions in accordance with the intended business goals and applicable laws, as well as evaluating, drafting and negotiating disclosure and transaction documents, and providing legal opinions relating to mortgage and asset-backed securitizations. Our experience includes repurchase financings as well as whole loan and other asset purchases.

D'QM's mortgage securitization experience includes both REMIC and non-REMIC structures involving performing and non-performing residential mortgage loans. Our team has handled a wide range of asset types, including closed-end and revolving home equity loans, second-lien mortgages, reverse mortgages, manufactured housing contracts, small-balance commercial and mixed-use mortgage loans, servicing rights and advances, and resecuritizations of both private-label and GSE-backed collateral.

RECENT EXPERIENCE

Beginning in 2024, our Firm's attorneys served as co-Legal Counsel Advisor to a federal agency. In this capacity, we have provided legal services in connection with the successful closings of more than 25 Guaranteed REMIC Pass-Through Securities transactions. Our representation includes a comprehensive review of the various transaction documents, including Offering Circular Supplements, REMIC Securities Guaranty Agreements, trust agreements, legal opinions and other transaction documents for legal sufficiency and consistency with business term sheets and for compliance with the program requirements.

OTHER TRANSACTIONAL EXPERIENCE

d'QM has represented financial clients in commercial and residential foreclosures, as well as a variety of matters under the Uniform Commercial Code ("UCC"). In connection with our securitization practice, we have been involved with pledges of master servicing rights, servicing advances, and other Article 9 UCC collateral types.

The Firm's attorneys have also successfully represented a number of financial institutions that, as investors in pools of mortgage loans, had disputes relating to the origination and servicing of the underlying loans.

BANKRUPTCY

d'QM attorneys have represented lenders, creditors, and government agencies in active bankruptcy cases. Our Firm is experienced in examining consumer bankruptcy cases, assessing and preparing strategies to protect client interests, bankruptcy motion practice, objections to debtor proposed plans, and examinations of debtor documents including petitions to assert claims on behalf of clients. d'QM has successfully negotiated with debtors' counsel to assert claims and address issues related to inadvertent and advertent omissions from bankruptcy schedules to protect debts from discharge.

Our attorneys have also represented creditors within large corporate restructuring cases by reviewing proposed reorganization plans and competing plans and protecting interests. In addition to creditor representations, d'QM's attorneys have experience representing retail debtors and corporate debtors during all aspects of the reorganization process from the first day through the confirmation of plans.

TRANSACTIONAL INSURANCE ADVICE

d'QM provides transactional advice on state insurance and annuities regulations in connection with the development of new products and the operation of existing products.

Our Firm also advises clients on litigation readiness and has been instrumental in fostering program-wide proactive approaches to discovery to increase success and cost-effectiveness.



d'Arcambal Quesada Malyk Peters & Creed LLP

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