



Stewart Spielman

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Stewart Spielman handles complex commercial loan workouts, restructurings, modifications, and enforcement matters on behalf of institutional lenders, nontraditional investors, and equity funds. With wide-ranging experience in the credit arena, Stewart routinely negotiates forbearances, amendments, extensions, waivers, and recapitalizations of distressed commercial financing relationships secured by many types of collateral. He also advises creditors on a variety of issues pertaining to their real estate loans, vessel loans, agented and syndicated loans, commercial and industrial loans, SBA/USDA-guaranteed loans, asset-based loans, and related products most often in the middle market. His practice also encompasses wholesale automotive and equipment floorplan financing.

By focusing on the credit side of business, Stewart gains exposure to a variety of industries and companies, and he appreciates learning the behind-the-scenes processes and challenges of operating a business. Stewart strives to understand the concerns driving clients' and borrowers' decision-making, putting himself in their shoes in order to provide useful, efficient advice.

Stewart recognizes that clients sometimes need a practical answer—and they need it fairly quickly. He values clear, direct, open, and honest conversations that help resolve problems. Stewart's background informs his approach to negotiations and getting to know people and their actions and behaviors. Stewart believes that clients benefit from his ability to understand people and what motivates them, which enhances the likelihood of reaching a desirable outcome.

Stewart is certified as a Business Bankruptcy Specialist by both the American Board of Certification and the Louisiana Board of Legal Specialization.

Professional Affiliations

- American Bankruptcy Institute
- American Bar Association
- Leadership Council on Legal Diversity (LCLD), Fellow, 2014
- Louisiana State Bar Association

Practices

Appellate
Bankruptcy, Restructuring & Workouts
Business & Commercial Transactions
Business Insolvency
Commercial Litigation

Industries

Automotive Finance
Banking & Finance

Education

J.D., Maritime Law Certificate,
Tulane University Law School,
2003
B.S., Louisiana State
University, 2000

Admissions

Louisiana
U.S. District Court for the
Eastern, Middle, and Western
Districts of Louisiana



Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Banking and Finance Law, 2023 – 2024
 - Ranking also featured by *Biz New Orleans* in their annual "Best Lawyers in New Orleans" supplement

Representative Matters

- National Bank in workout and enforcement of \$85 million floorplan and real estate loan.
- Developed floorplan lending documents for national banks and captive finance companies for nationwide use and implementation.
- National Bank in workout of \$55 million floorplan loan.
- National Bank in workout and restructuring of \$65 million loan secured by convention center.
- Developed form documentation and policies for use by national and regional banks in connection with implementation of COVID-19 deferrals and Main Street Loan Program.
- National Bank in workout of \$30 million loan portfolio secured by multi-state real estate holdings.
- Agent bank in negotiated resolution of distressed \$20 million syndicated bond portfolio secured by real estate and associated equipment.
- Participant bank in workout of \$500 million syndicated loan secured by supply vessels, charter party contracts, and associated collateral.
- Agent bank in negotiated sale of \$60 million syndicated loan secured by supply vessels.
- Agent bank in workout of \$150 million dollar syndicated loan secured by electronic chattel paper and receivables.
- National floorplan lender in tri-party workout of \$20 million dollar factoring arrangement.
- Agent bank in workout of defaulted \$100 million dollar syndicated loan secured by receivables.
- Participant bank and lender in workout and ensuing bankruptcy of multi-national shipping company involving \$150 million syndicated facility and various stand-alone loans secured by cargo vessels, real estate, and UCC collateral.
- National bank's enforcement of multi-state, \$10 million dollar asset-based loan secured by tax lien receivables.
- National bank's enforcement of multi-million dollar asset-based and real estate loan in bankruptcy of regional HVAC/plumbing company.
- Regional bank's enforcement of \$25 million loan secured by apartment and condominium complexes located in two states.
- REMIC trusts and equity funds in foreclosures of local/regional hotels, apartment complexes, and shopping centers.
- National bank in a multi-million dollar lender liability lawsuit arising from Hurricane Katrina related floorplan financing.
- National finance and asset-based lenders in bankruptcies of local hospitals.
- National finance company in foreclosure and bankruptcies of video poker casinos.

Presentations

- Co-Presenter, "Commercial – Dealer Due Diligence & On-Going Monitoring," 2024 Auto Finance Seminar, Hinshaw & Culbertson LLP, Chicago, Illinois, May 16, 2024
- Co-Presenter, "Lender Liability – Handle with Care, Managing Your Way Through Special Assets," Risk Management Association (RMA) Gulf Coast Chapter, Webinar, April 10, 2024
- Panelist, "Deal Maker: 2023 Mid-Year Deal Analysis and Outlook," Hinshaw & Culbertson LLP, Chicago, Illinois, May 24, 2023
- Co-Presenter, "Commercial – Preparing for Increased Defaults and Best Practices to Mitigate Lender Liability," 2023 Auto Finance Seminar: Driving Ahead: Auto Finance Insights from Industry Leaders, Hinshaw & Culbertson LLP, Chicago, Illinois, May 4, 2023



- Moderator, "Latest Trends in Auto Finance: Insights on Key Issues Facing Lenders Today," Hinshaw & Culbertson LLP, Virtual Event, November 30, 2021
- Co-Presenter, "What Every Banker Needs to Know: Electronic Loan Closings," Louisiana Bankers Association, Virtual Event, October 26, 2021
- Co-Presenter, "Handle With Care: Managing Your Way Through Special Assets," Annual Conference by Southwest Association Bank Counsel and Texas Bankers Association, San Antonio, Texas, October 7, 2021
- "Managing Risk and Avoiding Lender Liability," Client Presentation, Houston, Texas, April 2019

Publications

- Co-Author, "Top 11 Tips for Lenders Navigating Commercial Loan Modifications in Response to the COVID-19 Outbreak," *Client Alert*, March 24, 2020

Personal

In his spare time, Stewart spends a good deal of time outdoors in activities including hiking, fishing, and hunting. He enjoys experiencing and teaching others about nature, particularly his children and niece and nephews. Stewart also engages in charitable and community service and explores new places through frequent travel.

Community/Civic Activities

- Baton Rouge Area Chamber, Baton Rouge Area Leadership Program, 2014 Graduate
- HOPE Ministries, 2020 – Present
- Southeast Louisiana Legal Services, Bar Exam Fundraiser Committee