



Inez M. Markovich

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Creditors' Rights | Bankruptcy, Restructuring & Litigation | Real Estate | Bankruptcy | Bankruptcy Litigation | Financial Institutions | Real Estate Finance

Banks and financial institutions turn to Inez to represent them in complex workouts and bankruptcy matters as well as transactional matters.

Inez Markovich concentrates her practice in bankruptcy and debt restructuring, creditors' rights, banking, equipment leasing and commercial finance, and general business matters.

Inez has played significant roles in representing secured and unsecured creditors in a variety of complex bankruptcy matters—including negotiating, documenting, and obtaining approval of debtor-in-possession financings, cash collateral and adequate protection stipulations, and Section 363 asset sales—as well as in litigating and negotiating “critical vendor” treatment and providing strategic advice on negotiating Chapter 11 plans. She has successfully defended numerous creditors in adversary proceedings, including preference actions, fraudulent transfer actions, and “lender liability” claims, and has prosecuted objections to discharge of debts on behalf of creditors in bankruptcy court.

Inez also routinely represents commercial banks, leasing companies, and other financial institutions in all aspects of secured lending, asset-based lending, syndicated lending, equipment finance, securitizations, and credit enhancement transactions. Prior to joining McCarter, Inez chaired the Banking & Lending practice at Anderson Kill P.C.

Outside her law practice, Inez is an accomplished pianist. She won a Chopin Nocturne Award during the Autumn 2021 Chopin Avenue International Piano Competition Awards, and won two silver prizes (Amateur and Romantic Period) and one bronze (Chopin) in the Ad Libitum International Piano Competition held in July 2023.

Representative Matters

Regional Bank—Commercial Loan

Represented a regional bank in the negotiation and documentation of the bank's participation in a \$50.4 million loan to a prominent Philadelphia developer. In addition to the review and negotiations of the loan documents prepared by the lead lender's counsel and the participation agreement between the client and the lead lender, this transaction entailed counseling of the client on the C-PACE and Redevelopment Assistance Capital Program (RACP) aspects of the transaction and negotiations of inter-creditor concessions directly with the C-PACE lender.

National Bank—Construction-to-permanent loan

Represented a national bank in a \$21.5 million construction-to-permanent loan transaction to a Philadelphia developer to fund the construction of a multifamily project in the East Kensington/Port Richmond area of Philadelphia. This representation also involved counseling the client on the legal aspects of C-PACE financing and negotiating inter-creditor concessions with the C-PACE lender.

Regional bank—Multi-million dollar judgment in bankruptcy court

Obtained a multi-million dollar judgment in favor of a regional bank in an adversary proceeding under Section 523 of the Bankruptcy Code in a chapter 7 bankruptcy case in the Bankruptcy Court for the Eastern District of New York.

Regional bank—Full recovery outstanding principal

Achieved full recovery of the outstanding principal, accrued interest and legal fees on a commercial mortgage loan which required successful representation of a regional bank in the borrower's chapter 11 case in the Bankruptcy Court for the Eastern District of Pennsylvania and a subsequent sale of the distressed loan.

IT Consultant—Dismissal of Avoidance Action in Bankruptcy Court

Represented an IT consulting company against a fraudulent transfer adversary action brought by a Chapter 7 Trustee in a bankruptcy case in the Bankruptcy Court for the Eastern District of Pennsylvania, resulting in a dismissal of all claims against the client.

Pre-petition and exit financing lender—Furniture retailer bankruptcy

Represented a pre-petition secured lender and exit financing lender in the bankruptcy of a regional furniture retailer in the Bankruptcy Court for the District of New Jersey.

Pre-petition and DIP lender—Construction company bankruptcy

Represented a pre-petition secured lender and DIP lender in the bankruptcy of a construction company in the Bankruptcy Court for the Eastern District of Pennsylvania.

Purchaser—Section 363 sale

Represented a purchaser of Burger King® franchises at a § 363 sale in the Bankruptcy Court for the Eastern District of Pennsylvania.

Purchaser of Equipment Lease Portfolios—Equipment leasing company bankruptcy

Represented a purchaser of several equipment lease portfolios in the bankruptcy case of an equipment leasing company in the Bankruptcy Court for the Northern District of Illinois.

National bank—Historic tax credit financing for qualified opportunity zone projects

Represented a national bank in the negotiations and documentation of several construction loan facilities to leading Philadelphia developers for the purpose of rehabilitating historic buildings located in qualified opportunity zones in different sections of the City of Philadelphia.

Equipment leasing company—Use of vehicle titling trust in lease portfolio financings

Regularly represent a national equipment leasing and finance company in the negotiation and documentation of multiple financings of portfolios of motor vehicle leases using a Delaware vehicle titling trust.

Education

Temple University Beasley School of Law, JD, *cum laude*

Arcadia University, BA, *summa cum laude*

Bar Admissions

Pennsylvania

New Jersey

New York

Court Admissions

U.S. District Court, Eastern District of Pennsylvania

U.S. District Court, District of New Jersey

U.S. District Court, Eastern and Southern Districts of New York

Memberships and Certifications

Turnaround Management Association (Philadelphia Chapter)
Board Member

Languages

Russian

Recognitions*

Pennsylvania Super Lawyer, Rising Star, 2008, 2010–2014

40 Under 40, *Philadelphia Business Journal*, 2010

Person to Watch, *Inside* magazine

* No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see [here](#).

Alerts

Several Northeast, Mid-Atlantic States Address Commercial Evictions During COVID-19 Pandemic, Coronavirus Legal Advisory , 4.28.2020

Paycheck Protection Program (PPP) Application Form Made Available by Treasury Department, Coronavirus Legal Advisory, 3.31.2020

SBA's Paycheck Protection Program and Other SBA Relief for Small Businesses Provided in CARES Act, Coronavirus Advisory, 3.30.2020

Overview of SBA Loan Programs Available During the COVID-19 Pandemic, Corporate Alert, 3.25.2020

Articles

A New Ballgame: Negotiating Financial Covenants in an Uncertain Environment, ABF Journal, 10.7.2022

Tackling Issues in Structuring Syndicated Asset-Based Loans, ABF Journal, 9.27.2021

Walking Through the Shadows of Bankruptcy: Financing Equipment in Times of Distress, Monitor Daily Magazine, 5.24.2020

Loan Modifications and Forbearance Agreements in the Age of COVID-19, ABF Journal, 5.12.2020

Deals Considered Bankruptcy-Proof Combust — Uncertainty heightens for midstream gatherers and processors after the Sabine decision, Corporate Counsel Business Journal, 5.1.2016

Lending to Restaurants Pitfalls in Perfecting Security Interests, ABF Journal , 4.20.2015

Speaking Engagements

Negotiation of Covenants in 2023: Uncertainty Defines Expectations, Turnaround Management Association, 5.15.2023

Negotiation of Covenants in Loan Transactions in an Uncertain Environment, Association of Corporate Counsel, 4.20.2023

Real Estate Industry in 2019: The Good, The Bad, and the Potential Opportunities, CLE Program, 5.27.2019

Alternatives to Bankruptcy: Strategic Approach to Debt Restructuring and Asset Recovery, CLE Program, 12.12.2018

Impact Investing – Benefiting Communities and Your Bottom Line, 11.8.2018

Webinars

TMA Philadelphia/Wilmington Year in Review and What's Ahead for 2023, 12.22.2022

TMA Connect Live: Small Fish in Big Pond – Protecting Interests of Smaller Creditors in Large Bankruptcies, 9.30.2020

Alternatives to Bankruptcy, Turnaround Management Association, 9.29.2020