

Practice Areas

Bankruptcy & Corporate
Reorganizations

International Practice

Education

Fordham University, J.D. 1997
Editor in Chief, *Environmental Law Journal*

Bates College, B.A. 1987

Bar Admissions

Connecticut, 2009

New York, 1998

Massachusetts, 1997

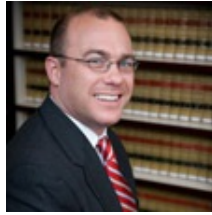
Court Admissions

U.S. District Court for the District of
Connecticut, 2008

U.S. Court of Appeals for the First
Circuit, 2007

U.S. District Court for the Southern
District of New York, 1998

U.S. District Court for the Eastern
District of New York, 1998



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Partner

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Hank Baer is the head of our Bankruptcy & Corporate Reorganizations practice, and focuses on complex financial transactions involving distressed assets. Mr. Baer has significant experience representing buyers and sellers of assets in distressed situations, first lien, second lien, mezzanine and DIP lenders, equity participants, retained professionals, and Boards of Directors of insolvent companies and of companies in the “zone of insolvency.” Throughout his career, Mr. Baer has represented clients in a broad cross-section of industries, including in the automotive, media, restaurant, paper, power, textile, grocery, printing, movable medical equipment manufacturing, coal, digital technologies and real estate sectors, among others. He has written extensively on the reorganization process and frequently appears on panels and at conferences.

Recent transactions include the representation of:

- a large multi-national company in a \$165 million strategic acquisition consummated pursuant to section 363 of the Bankruptcy Code;
- a major financial institution with respect to its participation in and workout of a non-performing senior secured credit facility;
- a private equity group in the de-leveraging of the balance sheet of one of its portfolio companies;
- a major financial institution with respect to its participation in a multi-billion dollar DIP financing facility;
- an investment firm with respect to a non-performing senior secured loan;
- a technology company with respect to the bankruptcy of several closely related companies;
- a french company with respect to an alleged preferential payment by a large U.S. company;
- a hedge fund in the defense of a multi-million dollar alleged fraudulent conveyance action; and
- a financial advisor with respect to its retention in several ongoing bankruptcy cases.

Prior to joining Finn Dixon & Herling, Mr. Baer was a member of the Insolvency group at Latham & Watkins LLP in New York.

Associations and Memberships

New York Bar Association
American Bankruptcy Institute
Connecticut Bar Association
American Bar Association
Turnaround Management Association

Publications

"Intercreditor Agreements: Is a Sale Process Different from the Sale?", The Secured Lender, Commercial Finance Association, February 2011 ([View Article](#))

Second Circuit Update, Editor, American Bankruptcy Institute

Delaware Judge Finds That Intercreditor Agreement Permits Second Lien Lenders to Object to Sale Process But Not to Sale Itself, December 3, 2010

Does the Madoff Trustee Have a Claim Against You? Lessons From In re Bayou Group, LLC, December 22, 2008

Lehman Brothers Holdings Inc. Files For Protection Under Chapter 11; Several European Subsidiaries Placed In Administration By UK Regulators, September 16, 2008

Supreme Court Decision on Stamp Tax Exemptions Could Have Meaningful Impact on Value in 363 Sales, June 18, 2008

Executive Compensation under Amendments to the Code – New York Law Journal, Vol. 237, March 5, 2007

Speaking Engagements

Panelist, "Leveraged Buyout Transactions Challenged in Bankruptcy; Litigating Fraudulent Transfer Claims Against Lenders, Equity Purchasers and Shareholders," Webinar, March, 28, 2012 ([Click here](#) for course material)

Panel Co-Chair, "Deal Trends, Current Terms, and Recent Developments in 363 Sales," American Bar Association Annual Spring Meeting, Business Law Section, March, 22, 2012 ([Click here](#) for course material)

Moderator, "Distressed Transactions and Value Opportunities," 2011 Leadership in the Distressed Markets Conference, January, 2011

Panelist, "Acquiring Corporate Assets Out of Bankruptcy," The Distressed Debt Conference 2010, New York City

Panelist, "Maximizing Value of Distressed Assets," October 28, 2010

Panelist, "Successfully Managing Portfolio Companies Through the Re-Structuring Process," 2010 Leadership in the Distressed Markets Conference, January, 2010

How to Restructure Balance Sheets in 2009, March 5, 2009 ([Hear presentation](#))

Bankruptcy Fundamentals: What Every Client Wants (Needs) To Know About Bankruptcy, November 19, 2008 ([View presentation](#))

Buying and Selling the Distressed Small Business, June 2008, Connecticut Bar Association