

Tyler Layne

PARTNER



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Tyler Layne has substantial experience in corporate restructurings, representing debtors, secured lenders, indenture trustees, unsecured creditors, hedge funds, purchasers and other parties in connection with bankruptcies, receiverships, out-of-court workouts, Section 363 sales, DIP and exit financings and related litigation. Tyler focuses his practice on healthcare restructurings, helping clients navigate the complex financial and regulatory overlay to restructurings in virtually every sector of that industry.

Tyler also has experience negotiating and closing complex financing transactions outside of bankruptcy, including asset-based and cash flow loans, sponsor financing, seller financing and venture capital financing.

Before joining Waller, Tyler gained extensive restructuring experience in the New York office of Cleary Gottlieb Steen & Hamilton LLP where he represented debtors and creditors in some of the largest Chapter 11 cases in the country.

EXPERIENCE

- **Restructuring from a governmental hospital to a private, not-for-profit 501(c)(3) positions Erlanger Health System for financial and operational success**

Represented Erlanger Health System in its evaluation of future options and the passage of a new state law authorizing the hospital to change from a governmental entity to a private, not-for-profit hospital system.

- **Manufacturer, distributor of medical water products sells to senior lender**

Represented a distressed manufacturer and distributor of medical water products and related supplies with long-term secured debt of almost \$30 million in an out of court sale process that ultimately resulted in the senior secured lender purchasing the business and operating it as a portfolio company.

- **FM Coal and affiliates confirm plan of reorganization**

Served as lead bankruptcy counsel to FM Coal, LLC and five of its affiliates in their Chapter 11 cases and in negotiating a plan of reorganization.

- **Financial services company provides \$145 million to hospital system**
Represented administrative agent in documenting \$145 million revolving credit facility to a hospital system exiting bankruptcy.
- **Auto parts manufacturer completes out-of-court restructuring**
Completed the out-of-court restructuring of an auto parts manufacturer in a process that entailed amendments to existing credit facilities, a new asset-based loan and the sale of a business line.
- **Roman Catholic Diocese of Harrisburg files for Chapter 11 bankruptcy relief**
Serving as primary debtor's counsel to the Roman Catholic Diocese of Harrisburg in its Chapter 11 bankruptcy proceeding pending in the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
- **Specialty finance firm deals with bankruptcy of a borrower**
Represented a specialty finance firm in the bankruptcy case of a nursing home operator involving the lender's prepetition ABL loan.
- **Huntsville Memorial Hospital files for bankruptcy**
Represented Huntsville Memorial Hospital as debtor's counsel in its Chapter 11 proceeding.
- **Zohar Funds the largest secured creditor in automotive company bankruptcy**
Represented Zohar Funds as the largest secured creditor in Dura Automotive's bankruptcy proceedings.
- **TransPecos Banks obtains Chapter 11 trustee**
Represented TransPecos Banks in Chapter 11 cases of wholesale food processing companies KHRL Group, LLC and Papa Grande Gourmet Foods, LLC and successfully obtained appointment of a Chapter 11 Trustee following a series of contested hearings.
- **Promise Healthcare confirms plan of liquidation after successful closing of multiple sales**
Negotiated the sale of a number of hospitals for Promise Healthcare and confirmed a plan of liquidation with significant recoveries for unsecured creditors.
- **Little River Healthcare Holdings, LLC and affiliates file for Chapter 11 bankruptcy**
Counseled Little River Healthcare Holdings, LLC and certain affiliates in its Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the Western District of Texas with over \$50 million in long-term debt obligations.
- **LifePoint Health completes sale of three Louisiana hospital campuses**
Represented LifePoint Health in its sale of Mercy Regional Medical Center, Acadian Medical Center, and Minden Medical Center in Louisiana.
- **Large U.S. bank to act as trustee for second lien notes in the Chapter 11 of energy company**
Advised a large U.S. bank and the second lien indenture trustee through the successful confirmation of an energy company's Chapter 11 plan.
- **Promise Healthcare Group, LLC restructures and files for bankruptcy**

Serving as lead debtor's counsel to Promise Healthcare in its restructuring and pending bankruptcy.

- **Almost Family, Inc. acquires assets of home health provider MD2U**

Represented Almost Family, Inc. in its acquisition of the assets of home health provider MD2U following MD2U's filing for Chapter 11 bankruptcy protection.

- **Fortis Management Group appoints receivership while company transfers to new operators**

Acted as financial advisory counsel to the trust company of a large financial services firm in their connection to the senior secured lenders in the Wisconsin Chapter 128 receivership Fortis Management Group, LLC and its affiliates.

- **Specialty finance firm provides term loans to third-party logistics provider**

Advised a middle market-focused, specialty finance firm through the structuring and closing of a \$96.3 million term loan, \$5 million delayed draw term loan and \$15 million revolving loan to provide acquisition financing to a third-party logistics provider.

- **Finance firm acts as agent for lenders in Chapter 11 cases of Spectrum Healthcare, affiliates**

Provided counsel to a middle market-focused, specialty finance firm related to their involvement as agent to the senior secured lenders in the Chapter 11 cases of Spectrum Healthcare, LLC and certain of its affiliates.

- **Two healthcare companies, creditors settle with skilled nursing facility following bankruptcy**

Represented two healthcare companies in negotiating settlements with a skilled nursing home operator following its Chapter 11 bankruptcy.

- **GemCap Lending acts as agent for lenders in Chapter 11 cases of Naturescape, Mountain Thunder**

Advised GemCap Lending I, LLC in their role as senior secured lender in the Chapter 11 cases of Naturescape and Mountain Thunder.

- **Large U.S. bank to act as trustee second lien notes in the Chapter 11 of energy company**

Advised a large U.S. bank, the second lien indenture trustee, through the successful confirmation of an energy company's Chapter 11 plan of reorganization.

- **HCA North Texas acquires Forest Park Medical Center in Dallas**

Served as lead counsel to HCA Healthcare, Inc. in its acquisition of Forest Park Medical Center in Dallas out of bankruptcy.

- **St. David's HealthCare acquires Forest Park Medical Center in Austin**

Served as lead counsel to St. David's HealthCare, which is majority-owned by HCA Healthcare, Inc., in its acquisition of Forest Park Medical Center in Austin out of bankruptcy.

- **HCA North Texas acquires Forest Park Medical Center in Frisco**

Represented HCA Healthcare, Inc. in its acquisition of Forest Park Medical Center in Frisco,

Texas in a Section 363 bankruptcy transaction.

- **LifePoint Health acquires St. Francis Hospital**

Represented LifePoint Health in its acquisition of St. Francis Hospital, a 376-bed acute care hospital in Columbus, Georgia.

- **Int. critical care product supplier structures \$50 million senior secured credit facility**

Represented an international critical care product supplier in structuring a \$50 million senior secured credit facility.

- **Arkansas hospital winds down operations following Chapter 7 bankruptcy**

Assisted a 140-bed Arkansas not-for-profit hospital in winding down its operations, liquidating assets and in its Chapter 7 bankruptcy proceeding.

- **Finance firm acts as agent for lenders in Chapter 11 cases of Allcare Medical and affiliates**

Advised a middle market-focused, specialty finance firm regarding its role as agent for the senior secured lenders in the Chapter 11 cases of Allcare Medical and its affiliates.

EDUCATION

- J.D., *magna cum laude*, Georgetown University Law Center, 2012
 - Order of the Coif
 - Executive Editor, *American Criminal Law Review*
- B.A., *summa cum laude*, University of North Carolina at Chapel Hill, Philosophy, 2009
 - Phi Beta Kappa
 - Morehead-Cain Scholar

COURT ADMISSIONS

- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- All U.S. District Courts in Tennessee
- U.S. District Court for the Southern District of Texas

BAR ADMISSIONS

- Tennessee
- New York

PROFESSIONAL INVOLVEMENT

- Member, Nashville, Tennessee and American Bar Associations
- Member, Turnaround Management Association

- Member, American Bankruptcy Institute

COMMUNITY INVOLVEMENT

- The Phoenix Club, Alumnus
- Young Leaders Council, Alumnus