



## Rebuilding a Business

Byram Concrete & Supply, Inc.

In Spring of 2009, we were retained to represent the owner of Byram Concrete & Supply, Inc. and South Street Materials, Inc., in the bankruptcy proceedings of his two companies (the debtors), the leading producers and suppliers of redi-mix concrete in Westchester County. As a result of an ambitious expansion plan that proved to be much more costly than anticipated, an unprecedented rise in the cost of raw materials and a sudden drop off in the residential construction market, the debtors filed for bankruptcy earlier in the year. Our client had personally guaranteed more than \$5 million of their debts, and several of the guarantors commenced lawsuits against him individually.

When the quest for new financing failed, tight deadlines imposed by the secured creditor meant that a new game plan had to be developed quickly. Working with the debtors' counsel, we immediately began looking for a buyer for the assets or a strategic partner. In less than three months, we successfully negotiated an agreement with Peckham Industries for a strategic transaction resulting in the confirmation of a consensual plan and a resolution of all of the claims against our client. The secured creditors were paid in full and unsecured creditors received a substantial distribution. The debtors emerged from Chapter 11, and our client was released from his guarantees and continues not only to have an ownership interest, but also to manage the new entity.