



Mark A. Carter

Partner
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Mark A. Carter serves as trusted counsel for clients in complex business transactions. Leveraging his substantive legal knowledge—which encompasses corporate formation and governance, finance and lending, acquisitions and dispositions, contract and commercial transactions, and business insolvency—Mark helps his clients accomplish their goals and objectives.

Since the start of his legal career, Mark has worked with public and private companies, start-ups, and emerging brands, on a broad range of matters, including asset and business mergers and acquisitions (M&A), distressed M&A, capital raising, debt transactions, and restructurings. In the process, he has advised board members, managers, and partners, regarding their duties and obligations and developed processes for addressing corporate governance matters.

Mark also assists financial institutions and other lenders with middle market loan documentation, secured transactions, workouts, distressed real estate, and collateral dispositions.

With more than three decades of industry experience, including food and beverage, telecommunications, steel fabrication, health care, motor fuel, and construction, Mark formulates and implements business-driven objectives and effective strategies for accomplishing transactions aligned with management's goals.

Through his blended practice, Mark is frequently called upon to assist clients with tailoring their contracts for insolvency preparedness, structuring and effectuating distressed acquisitions, and, where circumstances warrant, restructuring their operations and financial affairs.

Before joining Hinshaw, Mark spent most of his career with a Chicago boutique insolvency and bankruptcy law firm. More recently, he practiced with a Chicago-based business law firm.

Professional Affiliations

- American Bankruptcy Institute
- American Bar Association
 - Business Law Section

Practices

Business & Commercial Transactions
Corporate Governance Structure
Mergers & Acquisitions
Business Insolvency
Bankruptcy, Restructuring & Workouts
Private Equity
Real Estate & Lending

Industries

Banking & Finance

Education

J.D., University of Illinois
College of Law, 1988

B.A., *with high honors*,
University of Illinois at Urbana-
Champaign, 1985

Admissions

Illinois

Massachusetts

U.S. Court of Appeals for the
Seventh Circuit

U.S. District Court for the
Central and Northern Districts
of Illinois

U.S. District Court for the
Northern District of Indiana



- LLCs, Partnerships, and Unincorporated Associations Committee
- Association for Corporate Growth
- Chicago Bar Association
 - Bankruptcy and Reorganization Committee
 - Business Law Committee
- Illinois State Bar Association
 - Business & Securities Law Section Council, Chair, 2015 – 2016; Secretary, 2014 – 2015
 - Disability Law Committee
- Institute of Illinois Business Law
 - Dissolution of Entities Subcommittee
 - LLCs Subcommittee
- Turnaround Management Association

Honors & Awards

- Selected by his peers for inclusion in *The Best Lawyers in America*® for Corporate Law, 2023 – 2024
- Recognized by his peers as a "Leading Lawyer" in the area of Bankruptcy & Workout Law: Commercial, 2015 – 2023
- Recognized on the Super Lawyers list by *Illinois Super Lawyers* magazine, 2005 – 2006

Presentations

- 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
- "The Board, Distress and You: Good Decisions in Bad Times," Illinois State Bar Association's M&A Series Webinar, November 4, 2021
- "Businesses in Distress: Key Considerations for the Business Counselor," ISBA's Business & Securities Law Section Council Meeting, Virtual Event, November 13, 2020
- Co-Presenter, "[Navigating the COVID-19 Pandemic: Insights and Practical Considerations for Business Owners and Lenders](#)," Hinshaw webinar, March 31, 2020
- "Entering the Jungle: The Status of State Law Rights, Duties and Obligations of the Limited Liability Company and Its Managers and Members in Bankruptcy," ISBA LLCs in Bankruptcy seminar, Chicago, Illinois, September 16, 2015

Publications

- "Insolvency Implications for the Limited Liability Company and Its Members," Chapter 12, IICLE's *Limited Liability Companies*, 2022 Edition
- "Corporate Governance and Deepening Insolvency: Part I - Lessons from Lemington Home for the Illinois Practitioner," *ISBA Business & Securities Law Newsletter*, April 1, 2015
- Co-Author, "Insolvency Implications for the LLC and Its Members," IICLE's *Limited Liability Companies and S Corporations Handbook*, 2013 Edition



Personal

When he's not focused on client work, Mark works with several nonprofit groups to address community needs. He also enjoys attending sporting events and spending time with family.

Community/Civic Activities

- City of Naperville Fair Housing Advisory Commission, Appointed Member, 2005 – 2013; Past Chair, 2008 – 2009