

Adam M. Nathe

PARTNER

adam.nathe@stinson.com

Direct: 612.335.1593

Office: Minneapolis



A commercial finance attorney, Adam focuses on complex financing transactions.

Adam is an accomplished transactional attorney, trusted by clients for his pragmatic approach and his understanding of the demands of a competitive marketplace. Adam regularly advises clients in financing transactions in all stages of business from inception to exit.

An advisor to commercial lenders, non-bank lenders, and corporate clients, Adam offers perspective, having counseled clients on many different sides of financing transactions. In addition, his broad experience across business life cycles and his early experience as a commercial litigator give Adam valuable insights into many of the critical events and changes that impact lending and commercial clients.

EXPERIENCE

Adam regularly advises lenders and corporate borrowers in complex upper middle market financing transactions: term loans, lines of credit, acquisition/seller financing, construction financing, ABL financing, cash flow financing, note sale offerings, and subordinate debt. His work often involves advising clients on structuring and negotiating various levels of debt – secured and unsecured – and the intercreditor relationships arising from

PRACTICES & INDUSTRIES

- Banking & Financial Services
- Commercial Lending
- Agribusiness Finance
- Corporate Finance
- Equipment Leasing & Finance

ADMISSIONS

- Minnesota, 2002
- Wisconsin, 2002

EDUCATION

- University of Wisconsin Law School, J.D., *cum laude*, 2002
- University of St. Thomas, M.B.C., 1999
- University of St. Thomas, B.A., 1993

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those transactions. His work across many business cycles has given him experience in workouts, bankruptcy financing, 363 sales, foreclosures, receiverships, and in creditor remedy enforcement actions.

Adam has successfully structured and negotiated term, revolving, secured cash flow, intellectual property portfolio, hard asset and real estate loans as well as unsecured, second lien and convertible debt for lenders and borrowers.

Client-focused, Adam has also represented buyers and sellers in asset acquisitions, dispositions, and wind downs.

Adam champions the tenets of diversity and inclusion through his work with MEDA (the Minneapolis Economic Development Association), Twin Cities Diversity in Practice, the Minnesota Hispanic Bar Association, and through his work with minority businesses and his contributions to pro bono legal work.

Recent lender-side transactions

- Represented the administrative and collateral agent in a \$500 million syndicated senior secured working capital revolving line of credit for a multi-state pork processing company.
- Represented administrative and collateral agents in various syndicated senior secured credit facilities (term loans, revolving loans, acquisition financing, construction financing, and acquisition financing) ranging in size from \$45 million - \$350 million to vertically integrated borrowers in the swine production industry.
- Represented single lenders and administrative and collateral agents in syndicated senior secured credit facilities (term loans, revolving loans, acquisition financing, construction financing, and acquisition financing) ranging in size from \$25 million - \$250 million in the ethanol production industry.
- Represented a senior lender in a \$25 million senior secured working capital and equipment loans in the sand mining industry.
- Represented a senior lender in a \$50 million uncommitted line of credit to a fintech company secured by its short term commercial credit transactions and platform.
- Represented the administrative and collateral agent in a workout of a \$75 million senior secured acquisition and working capital loan to a premium meat processing company.
- Represented the senior lender in a workout of \$90 million in senior secured working capital and equipment loans in the oilfield services industry.
- Represented the administrative and collateral agent for the senior secured fixed asset lenders following the bankruptcy of a multi-state organic grain processing company.
- Advised a participating lender in a \$50 million financing secured by small business loans acquired from loan originators in communities adversely impacted by the COVID pandemic.

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Recent borrower-side transactions

- Represented a multi-fund investment and credit management company with structuring and negotiating leverage financings, including subscription lines of credit and back funding support for investments.
- Represented founding shareholders in negotiating seller financing and intercreditor arrangements with buyers and private equity sponsors.
- Represented a publicly-traded multi-state producer of cannabis products in a working capital debt financing which excluded the company's products.
- Represented an iron ore processing company in negotiating and structuring a complex debt offering involving multiple layers of subordinated and insider indebtedness and new financing for expansion of processing facilities acquired out of bankruptcy, with the new financing being provided by the company's global marketing agent.
- Represented a growing logistics company over several years in negotiating revolving loans, construction expansion loans, and finally exit financing, permitting the sale of a portion of the company and assignment of certain of the debt.
- Represented a large multi-franchise automotive dealership parent corporation in a term loan and revolving floor plan financing transaction.
- Represented a large community non-profit organization in a revolving line of credit secured by a restricted pledge of the organizations rights associated with the third-party investments it managed.
- Represented a private non-profit school in a construction financing project secured by real estate and capital fundraising pledges.

RECOGNITIONS

Selected to the 2023, 2024 editions of *Best Lawyers in America*©

Minnesota Minority Small Business Champion of the Year, U.S. Small Business Administration, 2014

Minneapolis Economic Development Association (MEDA) 2013 Volunteer of the Year Award

North Star Lawyers, Minnesota State Bar Association, 2012, 2014, 2016

Up & Coming Attorneys, *Minnesota Lawyer*, 2006

25 On the Rise, Minnesota Hispanic Chamber of Commerce, 2006

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PROFESSIONAL & CIVIC ACTIVITIES

Minnesota State Bar Association

Wisconsin State Bar Association

Minnesota Hispanic Bar Association

Hispanic National Bar Association

Twin Cities Diversity in Practice

Voluntary Lawyers Network

NEWS

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List
08.18.2022

Partner Adam Nathe Joins Twin Cities Diversity in Practice Board of Directors
07.01.2020

SPEAKING ENGAGEMENTS

"A MN Banking Minute: Loan Workout," Minnesota Bankers Association webinar series, June 18, 2020

Article 9 Secured Transactions Practicum, Adjunct Professor, Hamline School of Law, 2013

Subsidiary Liens Securing Debt of Corporate Parent Avoided as Fraudulent Transfers," 2012

"Navigating the Shoals – Managing Asset Risk," 2008

"Current Issues in Commercial Lending," 2007

"Collections, Liens & Bankruptcy," 2006

"Multiple Borrowers, Discharge and Fraudulent Transfers," 2006

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