Proskauer



Contact

Bryon J. Mulligan

Partner

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Bryon Mulligan is a partner in the Global Finance team. Bryon's practice is focused on advising on issues arising under the Uniform Commercial Code (UCC) in connection with a wide spectrum of transactions.

Bryon is a seasoned commercial finance lawyer, advising clients on a broad range of transactions, including leveraged finance and syndicated bank loan transactions, and structured financings involving alternative assets. He has advised underwriters on Bitcoin-backed ABS offerings on matters arising under Articles 8 and 12 of the UCC, crypto custodians in connection with establishing securities accounts under Article 8 of the UCC and warehouse lenders on financings secured by eNotes on matters arising under the Uniform Electronic Transactions Act and Article 9 of the UCC. His practice also includes data center project financings, warehouse lending, repurchase agreements, domestic and cross-border borrowing base commodity finance transactions, domestic and cross-border hedge fund financings, restructurings, workouts and debtor-in-possession financings.

Bryon is widely recognized for his work on Uniform Commercial Code and commercial law matters. He regularly advises clients on sophisticated secured transactions and related commercial law issues arising in complex financing structures.

Bryon serves as co-chair of the Investment Securities Subcommittee of the American Bar Association's Uniform Commercial Code Committee and co-chair of the ABA Business Law Section's UCC Article 8 Modernization Task Force.

Matters

Representative Experience:

- Representation of the lead lender on a $1.4 billion syndicated data center construction financing facility to Galaxy Digital Inc to support the continued construction and development of its Helios data center campus in Texas.
- Representation of the underwriter on LEDN's inaugural asset-backed security (ABS) backed by our portfolio of bitcoin-collateralized loans
- Representation of Vantage Bank in connection with its collaboration with Custodia Bank to facilitate the redemption of Avit stablecoin's issued by Custodia Bank.
- Representation of leading "land bank" financing provider in connection with a $1.7 billion repo facility with respect to intercompany notes backed by its landbank financing transactions
- Representation of a global financial institution as sole lender on numerous loan facilities provided to so called "funds of funds" secured by hedge fund and/or private equity fund interests.
- Representation of a global financial institution as administrative agent on a $3.5 billion syndicated, revolving secured borrowing base facility to a leading global energy trading company.
- Representation of a global financial institution as note purchaser under two secured revolving variable funding note transactions with an aggregate commitment of $425 million.

- Representation of a global financial institution in connection with a $100 million revolving borrowing base credit facility to a major airline secured by jet fuel owned by the airline.
- Representation of the US Treasury Auto Task Force as lender under debtor-in-possession (DIP) and exit financings for the Chrysler restructuring.
- Representation of a global financial institution in connection with capital protection agreements entered into with various capital protection focused mutual funds managed by Janus.

** Includes matters handled prior to joining Proskauer*

Practices

Restructuring, Private Credit Restructuring, Financial Restructuring and Special Situations, Global Finance, Fund Finance

Industries

Private Capital, Real Assets, Private Equity

Education

Thomas Jefferson School of Law, J.D., Valedictorian, summa cum laude
San Diego State University, B.A.

Admissions & Qualifications

New York
North Carolina

Memberships

Member, Business Law Section of the American Bar Association
Co-chair of the Investment Securities Subcommittee of the Uniform Commercial

Code Committee

Co-chair of the Business Law Section’s UCC Modernization Task Force.

Fellow and Regent of the American College of Commercial Finance Lawyers

Awards & Recognition

IFLR1000 USA, Leader in Banking, 2019 & 2024

Inducted into the North Carolina Pro Bono Honor Society, 2020

American College of Commercial Finance Lawyers, Election to Fellow, 2020

American Jurisprudence Bancroft-Whitney Awards in Bankruptcy, Employment Discrimination, Evidence II, Torts I and Torts II, 1998