Proskauer



Contact

Marc B. Friess

Partner

New York +1.212.969.3038

MFriess@proskauer.com

Marc B. Friess is a partner in the Private Credit Group and a member of the Corporate Department. He focuses his practice on commercial and corporate finance transactions and the representation of hedge funds, private equity funds, commercial finance companies, investment banks and borrowers in a wide range of domestic and cross-border financing transactions, including asset based and cash-flow facilities; acquisition and leveraged finance facilities; high-yield debt offerings; working capital facilities; debtor-in-possession and exit facilities; bridge and take-out facilities; first lien, second lien and first-out/last-out unitranche financings; secured financings; unsecured financings; subordinated debt financings; mezzanine debt financings; private equity portfolio financings; restructurings and workouts.

Marc represents lenders in providing and restructuring debt and hybrid capital to life sciences and healthcare businesses, including makers of pharmaceuticals, medical devices and other therapeutics, medical, dental and similar professional services platforms, and healthcare-focused software and other technologies.

Marc is a member of the American Bar Association and the New York State Bar Association. Marc obtained his BA, cum laude, from Franklin and Marshall College in 1998, and his J.D. from Fordham University School of Law in 2001.

Matters

Representative matters:

- Represented investment vehicles managed by affiliates of a leading global private investment firm in a $250 million direct private placement with a clinical-stage biopharmaceutical company.*
- Represented agent and lender in connection with restructuring and reorganization financing to a film, television and media company pursuant to a $250 million term loan facility.*
- Represented agent and lender in connection with (i) restructuring and reorganization financing to an adult entertainment internet company pursuant to a $617 million term loan facility and (ii) acquisition financing to an adult entertainment internet company pursuant to a $362 million term loan facility. Such financing was a multi-jurisdictional financing involving multiple jurisdictions including Luxembourg, Cyprus, Mauritius, Ireland, Germany, Curacao, Canada, United Kingdom and the Netherlands.*
- Represented agent and lender in connection with restructuring financing to a medical billing company pursuant to a $260 million revolving loan and term loan facility.*
- Represented national supermarket chain, as borrower, in connection with a $2.425 million restructuring and acquisition financing.*
- Represented agent and lender in connection with senior secured financing to a magazine publisher pursuant to a $150 million term loan facility and $30 million revolving loan facility.*
- Represented agent and lender in connection with senior secured unitranche financing to a medical and drug software company pursuant to a $65 million term loan facility and $5 million revolving loan facility.*
- Represented agent and lender in connection with senior secured unitranche financing to a healthcare software company pursuant to a $60 million term loan facility and $5 million revolving loan facility.*

- Represented lender in connection with a split collateral financing to a retail clothes company pursuant to a $32 million term loan facility.*
- Represented agent and lender in a $40 million senior secured financing to oil and gas exploration and distribution company.*
- Represented agent and lender in a $210 million senior secured financing to car transportation and delivery company.*
- Represented agent and lender in a $145 million senior secured financing to software manufacturer and service provider.*
- Represented agent and lender in a $125 million senior secured financing to metal scrap company.*
- Represented agent and lender in a $310 million senior secured financing to uranium provider for energy consummation.*
- Represented agent and lender in a $100 million senior secured financing to project construction company.*
- Represented agent and lender in a $155 million senior secured financing to software manufacturer and service provider.*
- Represented agent and lender in connection with senior secured financing to a third party software service provider pursuant to a $125 million term loan facility.*
- Represented agent and lender in a $67.5 million senior secured financing to theme restaurant chain.*
- Represented agent and lender in a $185 million senior secured financing to national ice cream manufacturer and distributor.*
- Represented agent and lender in a $170 million debtor-in-possession financing to manufacturer of parts for the automotive industry.*
- Represented home buildings product manufacturer, as borrower, in connection with a $700 million senior secured credit facility.*
- Represented agent and lender in connection with senior secured financing to a broadband software provider pursuant to a $30 million term loan facility.*

- Represented agent and lender in connection with senior secured financing to a casino slot machine distributor pursuant to a $30.525 million term loan facility.*
- Represented agent and lender in connection with senior secured financing to a television station operator pursuant to a $20 million term loan facility.*
- Represented agent and lender in a $82 million senior secured financing to manufacturer and distributor of food products.*
- Represented agent and lender in a $55 million senior secured financing to supplier of plastics processing and metal cutting process technologies.*
- Represented agent and lender in a $140 million senior secured financing to leading video-game developer and distributor.*
- Represented agent and lender in a $100 million senior secured financing to aftermarket automotive parts supplier.*
- Represented agent and lender in a (i) $170 million senior secured first lien financing and (ii) $85 million senior secured second lien financing to pathology lab service provider.*
- Represented affiliate of a major commercial bank in a $110 million second-lien and mezzanine financing in connection with the acquisition of the Caribbean retail operations of an United Kingdom company subject to an insolvency.*
- Represented agent and lender in a senior secured financing to media company with respect to several radio stations.*

*at prior firm

Practices

Private Credit, Asset-Based Lending, Financial Restructuring and Special Situations, Hybrid Capital, Special Situations, Corporate/Transactional, Global Finance

Industries

Private Capital, Life Sciences

Education

Fordham University School of Law, J.D.

Franklin & Marshall College, B.A.

cum laude

Admissions & Qualifications

New York

Memberships

American Bar Association

New York State Bar Association

Awards & Recognition

The Legal 500 United States: Commercial Lending: Advice to Lenders 2024