

Morgan Lewis



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Matthew Edward Schernecké advises direct lenders, mezzanine investment funds, and venture capital investors on loans and other investment transactions with a wide range of borrowers across industry classes and of all sizes, types, and structures. Matthew also advises private equity clients and corporate borrowers on domestic and cross-border acquisition financings, out-of-court restructurings and workouts, bankruptcy matters, and real estate financings. Matthew leads transactions spanning diverse industries, including film and music entertainment, media and telecommunications, internet and technology, food and beverage, financial services, real estate, retail, life sciences, and healthcare.

Matthew serves as the New York office local practice group leader for the finance practice. He has worked with Morgan Lewis teams on multiple deals worth more than \$1 billion.

Prior to joining Morgan Lewis, Matthew served as a law clerk to Federal Magistrate Judge Cheryl L. Pollak of the US District Court for the Eastern District of New York. While in law school, Matthew was twice elected president of the student body, served as senior comments editor for the *University of Chicago Roundtable* journal, and was awarded the Donald C. Egan Scholarship. At The Johns Hopkins University in 1998, Matthew was elected president of the student body and was awarded the Alexander K. Barton Cup for the graduating senior who most faithfully served the interests and ideals of the university.

SELECTED REPRESENTATIONS

Lender Representations

- › Prospect Capital Corporation as agent and lender in a \$122 million senior secured second lien term loan credit facility provided to a logistics management company as well as a substantial add-on acquisition financing
- › Prospect Capital Corporation as agent and lender in a \$70 million senior secured mezzanine-level term loan credit facility provided to a digital cinema projection company
- › Ares Capital Corporation as lender and agent in a recapitalization transaction that provided a \$40 million senior secured term loan, as well as a \$15 million senior secured delayed draw term loan and a \$5 million senior secured working capital revolving line of credit to NueHealth Performance, LLC
- › Prospect Capital Corporation as lender and agent in a recapitalization transaction that provided Luminex Home Décor & Fragrance Company, LLC with a \$25 million senior secured term loan, including Term Loan A and Term Loan B senior secured notes
- › RProspect Capital Corporation as agent and lender in a \$17 million senior secured second lien term loan credit facility provided to an unclaimed property recovery company and subsequent add-on acquisition financing matters

- › Breakwater Credit Opportunities Fund, L.P. and various affiliates in a \$17 million loan, workout and restructuring of Loot Crate, Inc.

Borrower-Side Representations

- › Dr. Pepper Snapple Group in its recent merger with Keurig Green Mountain, as the two companies combine to create Keurig Dr. Pepper, a new beverage giant projected to have an enterprise value of more than \$40 billion
- › Interactive Data Corporation in its acquisition by Silver Lake and Warburg Pincus for \$3.4 billion
- › Harron Communications LP in a \$1.4 billion sale of cable systems operating under the MetroCast brand name to Atlantic Broadband
- › Apollo Management in the disposition of Smart & Final Holdings Corp. to affiliates of Ares Management LLC for \$975 million
- › Sun Capital Partners in its acquisition of Friendly Ice Cream Corporation and its subsequent acquisition of the assets of such entity in a Section 363 sale

AWARDS AND AFFILIATIONS

Rising Star, *IFLR1000 Financial and Corporate Guide* (2015, 2017–2021)

Rising Star, *IFLR1000 United States* (2018, 2019)

New York Metro Rising Star, *New York Super Lawyers* (2013–2016)

ADMISSIONS

- › New York

CLERKSHIPS

- › Clerkship to Judge Cheryl Pollak of the US District Court for the Eastern District of New York (2002 - 2003)

EDUCATION

- › University of Chicago Law School, 2002, J.D.
- › Johns Hopkins University, 1998, B.A.

SECTORS

- › Banking

SERVICES

- › Transactional Finance
- › Corporate, Finance & Investment Management
- › Emerging Business & Technology

REGIONS

- › North America