

**MEDIA MENTIONS**

## Schulte partner Doug Mintz quoted in *Bloomberg*

**April 12, 2024**

Schulte Roth & Zabel partner Doug Mintz spoke to *Bloomberg* for the article, “Hedge Funds Find It’s Hit First or Get Hurt in Distressed Fights.”

The article discussed the emergence of a new strategy among hedge funds and other large investors in distressed debt scenarios, termed “non-pro rata up-tiering,” a strategy that involves restructuring deals that offer select creditors better terms on debt swaps compared to others, potentially leaving certain investors at a disadvantage.

While these recent transactions may upset creditors, companies contend that out-of-court restructurings often yield better outcomes than bankruptcy filings. Doug spoke about the likelihood of an increase in non-pro rata uptiering deals, “We are entering the next chapter, resulting from many years’ worth of trends; companies and lenders are looking to resolve issues way in advance of potential insolvency. What we’re seeing are individual creditor groups working alone to impact their own recoveries.”

[Read the article here.](#) (subscription required)

---

## Related People



**Douglas**

**Mintz**

Partner

Washington, DC

---

## Practices

**BUSINESS REORGANIZATION**

**HEDGE FUNDS**

**SPECIAL SITUATIONS AND BANKRUPTCY LITIGATION**

**SPECIAL SITUATIONS**