

# Kirby Chin

## Partner

New York Office

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### Practices

FOCUS: Private Credit

Distressed and Special Situations  
Investing

Fund Finance

Independent Sponsors

Investment Management and Funds

Mergers and Acquisitions

Private Equity

### Industries

Manufacturing and Industrials  
Private Equity

### Education

JD, New York University School of Law

BA, New York University

### Bar Admissions

New York

### Community Involvements

American Bar Association

Asian American Bar Association of New  
York

New York City Bar Association

Kirby Chin is experienced in a wide variety of financing transactions and has worked extensively on deals that involve challenging and complex financing facilities. He regularly advises clients on structuring and executing multi-layered financing transactions across a dynamic mix of industries, many of which involve complex intercreditor or inter-lender arrangements. Kirby represents finance companies, investment funds, BDCs, insurance companies and asset managers. He also regularly advises investment funds with control positions for special situation companies in restructurings, refinancing and workouts.

### Innovative solutions to help achieve your objectives

Kirby has advised private equity sponsors and their portfolio companies in acquisition financings and other leverage facilities for buyouts, add-ons, carve-outs and other control position transactions. Additionally, he has worked with investment funds on subscription and capital call facilities.

### Representative Experience

- Represented a title agency company, as borrower, in a senior secured revolving credit facility to support its national roll-up acquisition strategy.
- Represented an investment company, as administrative agent and lender, in a senior secured revolving credit and term loan facility to finance the acquisition by a sponsor of a packaging materials company.
- Represented a financial institution, as administrative agent and lender, in a senior secured revolving credit, term loan and delayed-draw term loan facility to finance the acquisition by a sponsor of a group of companies in the water filtration and related businesses.

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- Represented a financial institution, as administrative agent and lender, in a senior secured revolving credit and term loan facility in a refinancing of the indebtedness of a death care company.
- Represented an investment company, as administrative agent and lender, in a senior secured revolving credit and term loan facility to refinance certain indebtedness of a franchise moving company.
- Represented an insurance company in a senior secured credit facility to an online mortgage company.\*
- Represented a finance company in an asset-based and term loan facility to an acrylic sheet manufacturer.\*
- Represented an investment company in senior subordinated term loan financing facility to an insurance premium financing company.\*
- Represented an insurance company in a senior secured credit facility to a technology-based home insurance company.\*
- Represented a private equity sponsor in a broadly syndicated asset-based and term loan financing facilities with a leading oilfield completion service provider.\*
- Represented an investment fund with a control position in a leading death care company in restructuring its financing facilities.\*
- Represented an investment fund in a debtor-in-possession financing facility to a company operating casual Mexican restaurants.\*
- Represented a public company that is a leading bus designer and manufacturer in a working capital and term loan facility.\*
- Represented an investment fund in a financing facility to a special purpose vehicle that owned real estate in Las Vegas.\*
- Represented an investment fund in a financing facility to an ultra-low-cost Canadian airline carrier.\*
- Represented a private company in exit financing facilities in its acquisition of a metallurgical coal company.\*

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- Represented a finance company, as agent, in a syndicated senior secured revolving credit financing facility to a privately owned independent exploration and development company operating in the Appalachian region.\*
- Represented investment fund in a senior secured, split collateral term loan financing facility to a firearms manufacturer.\*
- Represented domestic finance company, as agent, in a syndicated secured financing facility to an offshore oil and gas development and production company operating in the Gulf of Mexico and the North Sea of the United Kingdom.\*
- Represented an ocean cargo carrier in a senior secured financing facility and a high-yield bond offering in connection with a leveraged buyout.\*

\*Experience prior to Katten

## Recognitions

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*Recognized or listed in the following:*

- Lawyers of Color
  - Nation's Best, 2019
- *Super Lawyers*
  - New York, 2006, 2010, 2012, 2018–2019

## News

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- Katten Builds on Its Award-Winning M&A/PE Team (May 29, 2020)
- Katten Grows Its Commercial Finance Practice on East and West Coasts (April 20, 2020)

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*Partner*

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## **Presentations and Events**

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- Argyle Executive Forum Leadership in the Distressed Markets (January 2012)
- New York City Bar Association Boot Camp: Basic Training for Lawyers (September 2011)