

Receivers and Receivership

Receiverships are useful to avoid the time, expense, and stigma of a bankruptcy. Receivers are appointed by courts, generally at the request of government regulators, or private entities, to protect property or collateral, to operate a business when evidence supports removal of management, to investigate allegations, to liquidate assets and pay creditors or other parties among other functions.

Our team of trusted professionals includes receivers who have experience assisting companies “in receivership” with managing corporate operations and making critical business decisions until debts are resolved.

RECEIVERSHIP SERVICES

Receiverships, typically involve the Receiver controlling business assets and may require a detailed review of operational, accounting, and financial processes and decisions. Resolving these challenging matters requires specialized skills to assess, investigate, and determine a path to resolution. The appointment of a receiver as soon as possible can help to avoid further losses, complications, and disagreement including litigation and bankruptcy.

Receivers are assigned to closely monitor operations and submit regular status reports to creditors and/or the court. The responsibilities of the subject’s board of directors and corporate management are subservient to the receiver until the company is no longer under receivership. The responsibilities of the receiver may include:

- Reviewing the subject corporation’s finances and operations to identify issues.
- Terminating specific operations or divisions.
- Replacing company management to improve performance of the subject entity.
- Notifying creditors of the receivership; making/negotiating payment.
- Selling assets, divisions, or the subject company and overseeing the distribution of proceeds from liquidation if any of these are determined to be the best solution.

In the case of liquidation, the distribution of proceeds is on a priority basis with priority going to secured and other high priority creditors. Unsecured creditors receive payment from remaining proceeds, if any.

DISPUTE ANALYSIS, RESOLUTION AND RECEIVERSHIP

Once an issue has been identified, swift and decisive action is recommended to reduce further harm including continued financial loss. We provide:

- Receivership
- Bankruptcy, Recapitalization, and Reorganization Consulting
- Data Analysis and Forensic Accounting
- Valuations of Businesses, Securities, and Assets
- Fairness, Solvency, and Insolvency Opinions
- Expert Reports and Testimony
- Settlement Negotiations
- Litigation Consulting

COURT ROOM EXPERIENCE MATTERS

Effective business dispute and litigation support professional have knowledge of court room proceedings, as well as experience and training in the field of valuation and economic analysis. Our experts bring this knowledge and experience to each assignment.

Marshall & Stevens' team of accountants, receivers, fraud examiners, machinery & equipment appraisers, real estate appraisers and business valuation professionals are retained by attorneys to analyze and calculate the value of their clients' claims or to rebut claims made by others, for matters in federal and state courts, arbitration hearings, and before administrative and regulatory bodies.

Each assignment is staffed to maximize cost efficiency while delivering high-quality, defensible analyses and consulting. The majority of our senior specialists are credentialed through one or more distinguished professional organizations, including **ABV, ASA, CDBV, CFA, CFE, CFF, CIRA, CPA, MAI, and MRICS.**

ABOUT MARSHALL & STEVENS

Founded in 1932, Marshall & Stevens is a premier independent valuation consulting and dispute resolution firm. Our in-house specialists provide valuations of businesses, debt and equity instruments, intangible assets, machinery & equipment, real estate, and integrated facilities for transactions, compliance, and matters of dispute.

The great majority of our work is referred to us by attorneys, accountants, and other trusted advisors who appreciate our expertise, independence, and service.

For more information, please contact one of the professionals listed below.



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