

Andrew T. McClain

Senior Counsel

amcclain@foley.com

Chicago

312.832.5397

Detroit

313.234.2746



Andrew T. McClain concentrates his practice on creditors' rights, out-of-court workouts and restructuring, and commercial litigation. He has represented secured lenders, special servicers, government-sponsored enterprises, equipment suppliers, and a court-appointed receiver for the Securities and Exchange Commission. His experience includes all facets of creditors' rights, including judicial and non-judicial commercial foreclosures, receiverships, and Article 9 sales. Andrew regularly counsels clients on insolvency and collections issues, commercial lending, distressed real estate, and special servicing.

In addition, Andrew represents clients in a wide variety of commercial litigation, including real estate litigation, business disputes, and construction litigation. He routinely litigates cases in both state and federal court. Andrew successfully enforces and defends his clients' rights at all stages of litigation, including complicated discovery disputes, dispositive motions, state and federal appeals, and leading his clients through mediations and settlements.

Andrew is a member of the Bankruptcy & Business Reorganizations Practice Group.

Representative Experience

- *SEC v. EquityBuild, Inc.*: Represented multiple secured real estate lenders and special servicers in federal Securities and Exchange Commission receivership.
- *SEC v. Morgan*: Represented government-sponsored enterprise in connection with federal Securities and Exchange Commission receivership.
- *SEC v. Northridge Holdings, Ltd.*: Represented government-sponsored enterprise in connection with federal Securities and Exchange Commission receivership.
- *SEC v. Illinois Stock Transfer Company*: Represented court-appointed receiver for Securities and Exchange Commission in connection with stock transfer agent receivership.
- *SEC v. Gina Champion-Cain*: Represented multiple secured commercial real estate lenders in connection with federal Securities and Exchange Commission receivership.

- *WBCMT 2003-C9 Island Living LLC v. Swan Creek Limited Partnership*: Represented special servicer in commercial foreclosure and obtained favorable decision regarding assignment of rents post-redemption from Sixth Circuit Court of Appeals.
- Hooper Holmes, Inc.: Represented debtor in Chapter 11 reorganization of health care company.
- Jack Cooper Ventures, Inc.: Represented successful stalking horse bidder of transportation and logistics provider that is the largest over-the-road finished vehicle logistics company in North America.
- Represented national property restoration company enforcing its mechanic's lien rights.
- Represented secured lenders in all phases of commercial litigation pursuing breach of note and guaranty claims as well as out-of-court workouts and restructuring.
- Special servicers and government-sponsored enterprise: Counseled on commercial litigation matters, commercial foreclosures, and out-of-court workouts and restructurings.
- UCC sales: Counseled secured lenders in multiple Article 9 sales.

Awards and Recognition

- Illinois Super Lawyers® "Rising Star" (2019-2023)
- Best Lawyers: Ones to Watch® for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2021-2024)

Presentations and Publications

- Author, "Establishing Diversity When a Trust Is Involved," *Law360* (June 2018)

Sectors

- [Automotive](#)
- [Manufacturing](#)
- [Supply Chain](#)

Practice Areas

- [Bankruptcy & Business Reorganizations](#)
- [Creditor Committee Representation](#)
- [Litigation](#)

Education

- Michigan State University College of Law (J.D., cum laude)
 - Associate Editor, *Michigan State Law Review*
- Fordham University (B.S.)

Admissions

- Illinois
- Michigan
- U.S. District Court for the Northern District of Illinois



FOLEY & LARDNER LLP

- U.S. District Court for the Eastern District of Michigan
- U.S. Court of Appeals for the Seventh Circuit