

## ATTORNEYS

Nicholas A. Whitney

## PRACTICE AREAS

Lending Transactions

## "UPDATE: Using Incremental Facilities to Exchange Bond Indebtedness - The Realogy Decision" by Nicholas Whitney

January 7, 2009

On December 17, 2008, we distributed a memorandum entitled "Using Incremental Facilities to Exchange Bond Indebtedness." As noted in the memorandum, a lawsuit was filed by the Trustee with respect to the Indenture for Realogy's unsecured "PIK toggle" notes and High River Limited Partnership, a holder of the "PIK toggle" notes, as plaintiffs, against Realogy Corporation, as defendant. On December 18, 2008, the Court rendered its decision in the Realogy Case. The attached memorandum provides a brief summary of the Court's opinion.

[Download memorandum](#)