

EOS Insolvency Processing

Your client is in a serious business crisis. The only option left to him is to file for insolvency. Initially, you can file your receivables with the competent insolvency administrator quite unbureaucratically. But the facts possess legal peculiarities. The contact person is now no longer your client, but the insolvency administrator. Now good advice is expensive – and rare. What legal hurdles will I face? How do I react in the event of a challenge? What rights do I have as a creditor, what obligations?

Questions, without the answers to which the matter can become very time-consuming, nerve-racking and, in the „worst case“, hopeless for you. For such situations, you need a strategic partner at your side who will represent your interests with dedication and expertise and bring out the „best case“ for you. We walk this road with you. Because legally secure is secure!

Your goal – our mission

In order to enforce your receivable in the end, if possible, or at least to recover a large part of it, hire a specialist who will represent your interests diligently in the event of a case and who will assert your claims on an equal footing with the insolvency administrator. We meet these requirements. Our legal professionals specialising in insolvencies know exactly how to deal with the special and always different cases in a professional, consistent and efficient manner.

We will accompany you on the road to success

First and foremost, our EOS Insolvency Processing service module is about significantly increasing the chances of realising your receivables. In addition, there are further advantages for you that should not be underestimated. By handing over the process to specialists, you do not have to acquire the necessary expertise. Time-consuming and costly investigations and coordination of the insolvency case are no longer necessary. We prepare all the necessary applications, check and monitor all the relevant processes and accompany you confidently through the entire insolvency process. If need be, even in court – with the help of specialised lawyers from our partner law firm – the representation of your claims will keep flowing.

For a better overview, we have listed below possible situations in the event of your client's insolvency and outlined all our related services:

Changing finances for the better.



Filing of receivable(s)

We check your documents and register your receivables in the insolvency table in the three-month period prior to insolvency, taking into account the risk of challenge.

Request for selection and separation

As part of the investigations for the filing of a receivable, we check whether you have rights from retention of title against your client and whether you can file an application for selection or separation. Should this be the case, we will take over the communication with the insolvency administrator.

EOS

Contestation of receivables

As a rule, almost 60 to 70 percent of all receivables are contested. Many creditors are not familiar with the legal facts and get caught in legal pitfalls. For our specialists, this legal battle is daily business. They know what needs to be considered when clarifying such incidents and can communicate expertly with the insolvency administrator.

Insolvency plan

If it still makes economic sense to preserve your client's business, an insolvency plan is usually drawn up. This insolvency plan results in quota payments to the creditors, often over a longer period of time. The aim behind this is to ensure that the company remains capable of acting and that business operations continue. The procedure is very time-consuming to monitor, which is why we relieve you of this effort and regularly inform you about all important aspects.

Report review

If the insolvency proceedings are not opened due to a lack of assets, it is still possible to obtain rights of recourse against the managing director. This can be inferred from a report review carried out by specialised lawyers from our partner law firm.



Contestation of payments made

The insolvency administrator can challenge and reclaim payments made to you at any stage of insolvency proceedings prior to insolvency. We check these challenges for you, reject unjustified challenges with well-founded reasons or also discuss settlement proposals with the insolvency administrator for an out-of-court solution in order to protect payments received from recourse in the best possible way.

Review for mass liability

Liabilities resulting from an appointment or commission by the insolvency administrator shall be satisfied with priority. Our specialists will review these liabilities for you and pursue the pro rata distribution of the remaining assets.

Approach in case of insufficient assets

If the proceedings were opened and then discontinued due to lack of assets, we will enforce the previously obtained title again, provided this is economical for you.

Monitoring the discharge of the residual debt for individuals

If your client is a natural person, we will monitor the insolvency proceedings on your behalf until the period of good conduct is over and the discharge of residual debt is granted. We regularly investigate your client's new resolutions, appointments and abnormalities throughout the period. If the discharge of residual debt is not granted, we can transfer the process to compulsory enforcement by means of the title already obtained.

Registration and monitoring of the pool procedure

In the event of pool procedures, we represent your interests in the supplier pool that has come into being and before the representative of interest appointed from it, the pool administrator.

Conduct of a case

If the recognition of receivables or a challenge is disputed and a lawsuit ensues, we instruct lawyers from our partner law firm who specialise in insolvency law.

We call you the reasons for success

The be-all and end-all of sustainable insolvency processing is sound legal know-how and many years of experience in this field of law. Our team, which consists of specialist lawyers for insolvency law and trained paralegals, devotes itself exclusively to the complex matter of insolvency on a daily basis. The experience gained on a large scale leads directly to a highly efficient service that benefits you every step of the way. Should the processing result in a lawsuit, your interests will be represented by highly qualified specialist lawyers from our long-standing partner law firm.