

# **Impact of marshaling and surcharge waivers at plan confirmation**

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*ABI Journal*

Davis Polk partner and Restructuring co-head Damian Schaible, counsel Aryeh Falk and associate Jacob Weiner recently authored “Impact of Marshaling and Surcharge Waivers at Plan Confirmation” in the *ABI Journal*. The article sheds light on the potential impact of marshaling waivers on the allocation of value under chapter 11 plans and discusses how marshaling waivers, in tandem with surcharge waivers, can help secured creditors maximize their recoveries under a chapter 11 plan.