

Brandy A. Sargent

Partner

Portland
+1.503.226.5735

Brandy.Sargent@klgates.com

OVERVIEW

Brandy Sargent is a partner in the firm's Finance practice. She represents debtors, lenders, vendors, purchasers, and official and unofficial committees in a variety of commercial and agricultural finance, bankruptcy, workout, and litigation matters. Brandy has significant experience representing clients in commercial lending, corporate finance, and private equity finance transactions, distressed asset acquisitions, and loan modifications and work outs. Brandy also advises clients with supply chain needs including grower arrangements, and processing, sale and consignment agreements, purchase money security interests, and warehouse and transportation liens. In agribusiness matters, Brandy assists clients with unique issues arising under the Perishable Agricultural Commodities Act (PACA), Food Security Act (FSA), state agricultural lien statutes, intellectual property protection needs, and cooperative member and marketing agreements.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Bankruptcy/Restructuring in Oregon, 2025-2026
- Recognized in *The Best Lawyers in America*® for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law in Portland, OR, 2024-2027
- Selected as an Oregon Rising Star for Bankruptcy and Creditor-Debtor Rights, 2008-2013

PROFESSIONAL / CIVIC ACTIVITIES

- Member, Food Alliance, Board of Directors (2014 - 2020)
- Chair, Oregon State Bar, Agriculture Law Section Executive Committee (2018)
- Member, Oregon State Bar, Agriculture Law Section Executive Committee (2012 - 2020)
- Member, Oregon State Bar, Debtor-Creditor Editorial Board (2006 - present)
- Member, Oregon State Bar, Debtor-Creditor Executive Committee (2006 - 2008)

SPEAKING ENGAGEMENTS

- Moderator, “The Rundown on Real Property Receiverships: The Intersection of Creditors, Collateral and Common Interests,” ABA 37th Annual RPTE National CLE Conference (April 2025)
- Speaker, “Credit Complications in Agriculture: Tricks, Traps, and Best Practices of Getting Paid,” National Society of Accountants for Cooperatives (March 2025)
- Co-Presenter, “New Era of Receiverships in Agriculture,” American Agricultural Law Association Annual Agricultural Law Symposium (November 2024)
- Co-Presenter, “Buying Distressed Farm and Food Assets,” American Agricultural Law Association Annual Agricultural Law Symposium (November 2023)
- Co-Presenter, “Structuring Farm and Agribusiness Loans: Key Terms, Mitigating Risks, and Role of the Farm Credit System and USDA,” *StraffordPub,* (August 2023)
- Speaker, “Credit Complications in Food and Agriculture: Tricks, Traps, and Best Practices for Getting Paid,” National Association of Credit Managers (February 2023)
- Co-Presenter, “Agricultural Insolvency: What's Different?” American Agricultural Law Association (September 2022)
- Co-Presenter, “Navigating Financial Distress in the Agriculture Industry,” Agriculture Law in the Northwest Conference (July 2022)
- Co-Presenter, “M&A in Food and Agribusiness Transactions,” American Agricultural Law Association Annual Symposium (November 2021)
- Co-Presenter, “Bankruptcy and Secured Creditor Priority: Identifying, Resolving, or Avoiding Hidden and Springing Liens,” Strafford Webinars (October 2021)
- Co-Speaker, “Navigating Financial Distress,” Oregon Agricultural Law Conference by the Seminar Group (July 2020)
- Speaker, “Cash Cows: Unique Payment Options and Issues for Farmers and Ranchers,” 2019 Oregon Young Farmers & Ranchers Leadership Conference, Oregon Farm Bureau (November 2019)
- Co-Presenter, “Attorney/Client Privilege and Agricultural Matters: Don't let the Cow out of the Barn Door,” 40th Anniversary Annual Educational Symposium, American Agricultural Law Association (November 2019)
- Speaker, “Oregon and Washington Agricultural Law Update,” Western Ag Credit Association Meeting, National Association of Credit Managers (October 2019)
- Co-Presenter, “Agricultural Insolvency: What's Different?” Oregon State Bar Debtor-Creditor Annual Meeting (September 2019)
- Speaker, “Getting Paid: Strategies, Challenges and Developments in Agricultural Transactions,” Oregon Agricultural Law Conference by the Seminar Group (July 2019, July 2018)

- Speaker, “Idaho Agricultural Law Update,” Western Ag Credit Association Meeting, National Association of Credit Managers (June 2019)
- Co-Presenter, “Secured Transactions Made Simple: Oregon's UCC Article 9,” Multnomah Bar Association Young Lawyers Program (May 2019)
- Speaker, “Perishable Agricultural Commodities Act Trust: Soup to Nuts (or Salad to Pears),” Oregon State Bar Agriculture Law Section (November 2016)

ADDITIONAL BACKGROUND

ADDITIONAL EDUCATION

- Agribusiness Seminar, Harvard Business School Executive Education, January 2015
- Loyola University, Rome, Italy, 1993-1994

EDUCATION

- J.D., Chicago-Kent College of Law, Illinois Institute of Technology, 1999 *(Order of the Coif; Dean’s List)*
- B.A., Loyola University - Chicago, 1995 *(summa cum laude; Dean’s List)*

ADMISSIONS

- Bar of California
- Bar of Idaho
- Bar of Illinois
- Bar of Oregon

THOUGHT LEADERSHIP *POWERED BY HUB*

- 13 January 2022, M&A in Food and Agribusiness Companies: What Your Diligence List is Missing
- 10 April 2020, COVID-19: Analysis of Federal Reserve "Main Street" Liquidity Program
- 4 December 2019, Distressed Solutions: Don't Get Lost in the Weeds in Agriculture Bankruptcies
- 8 August 2019, Dust Off Your Chapter 12 Knowledge: Increase to Debt Limits May Revive Family Farmer Bankruptcies
- 7 May 2019, States Race to Align on Industrial Hemp
- 29 January 2019, Second Circuit Rejects Setoff Between PACA Merchants in Bankruptcy Cases
- 5 December 2018, PACA and Real Property: Follow the Fruit

- 9 March 2017, U.S. Bankruptcy Court Reminds Us to “Get the Note” or File a Financing Statement

OTHER PUBLICATIONS

- Co-author, “PACA and Real Property: Follow the Fruit,” Washington State Real Property Deskbook, New Developments in Real Property (August 2018)
- Contributor, “Bankruptcy Opinions,” Legal Opinions in Business Transactions (Fall 2018)

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 25 January 2022, K&L Gates Advises Soho Square Capital LLP on Investment and Partnership With Oliver James
- 4 November 2021, 2021 Annual Educational Symposium, hosted by the American Agricultural Law Association
- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform

AREAS OF FOCUS

- Restructuring and Insolvency
- Technology Transactions and Sourcing
- Corporate and Acquisition Finance

INDUSTRIES

- Consumer Goods and Services
- Food, Beverage, and Agribusiness
- Manufacturing
- Transportation and Logistics

REPRESENTATIVE EXPERIENCE

Commercial Bankruptcy and Insolvency

- Represented a national consulting practice in successful appeal of an adverse bankruptcy court decision regarding contract assumption and termination matters

- Represented a financial advisor engaged by an official committee of unsecured creditors in successful defense of disputed professional fees
- Represented a customer in the successful transition of services in bankruptcy of a data storage and cyber-security contract counterparty
- Represented an aircraft lessor in obtaining lease assumption and recovery of aircraft in bankruptcy of a regional air carrier
- Represented an employee benefits provider in successful defense against recovery of payments received prior to its customer's commercial bankruptcy
- Represented a buyer in the bankruptcy asset purchase of a commercial manufacturing facility
- Represented a principal in bankruptcies of former agents accused of non-competition and trade secret violations
- Represented an international electronic component manufacturer in bankruptcy and insolvency matters of customers
- Represented a wind energy provider in the after-auction acquisition of a bankrupt wind generation facility
- Represented an official committee of unsecured creditors in the liquidation sale of the bankrupt's assets, and assertion of fraudulent transfer and fiduciary duty claims

Agricultural Bankruptcy and Insolvency

- Represented national grocery cooperative in successful defense of PACA claims brought by produce supplier
- Represented a national agricultural cooperative in successful assertion of contract rights under member marketing agreements
- Represented agricultural cooperatives in enforcement of setoff rights related to complex feeding, co-packaging, and sales contracts in dairy, creamery, and cattle bankruptcies
- Represented national agricultural cooperatives, nursery, and commodity suppliers, in perfecting and recovering payment under Oregon's agricultural services and produce liens
- Represented a nationally known winery and commodity supplier in recovering payments under California's processor and seed supplier liens
- Represented producer in recovering large receivable through informal PACA complaint
- Represented a food processor in recovering PACA claims in an ice cream manufacturer bankruptcy
- Represented numerous corn suppliers in successfully defending against preference claims in a large bio-diesel manufacturer's bankruptcy
- Represented an agricultural cooperative in the after-auction acquisition of a bankrupt bio-diesel manufacturing facility

- Represented a national agricultural lender in obtaining full recovery of real estate loans to a bankrupt dairy
- Advised nationally known winery regarding disposition of warehoused wine
- Represented a nursery services provider in contract matters related to grower bankruptcy
- Represented a food manufacturer in negotiation of critical vendor treatment in a national grocery bankruptcy

Agribusiness Operations

- Represented agricultural cooperatives in negotiation of large non-member or non-marketing agreement commodity purchase transactions
- Represented an international specialty food company in negotiation of contracts and resolution of contract disputes
- Represented an agricultural cooperative in a merger transaction
- Represented national cold storage and logistics provider in negotiation of storage agreements and standard storage terms and conditions
- Advised a nursery service provider in development of a standard services agreement
- Advised a vineyard on lien and security interest matters related to a vineyard lease
- Advised a vertically integrated producer/processor in negotiation of land leases and compliance with PACA and state agricultural lien regulations
- Advised corn, soy, and rice producers and processors regarding purchase and sale agreements, warehousing regulations, and terms and conditions
- Advised client regarding due diligence matters related to PACA and state agricultural liens in purchase of processing facility
- Advised a nursery grower on development of standard terms and conditions
- Represented a private investment firm focusing on food and agriculture businesses, in connection with the acquisition of 51% of a leading premium fresh fruit marketing and distribution company.

Corporate, Finance, M&A Transactions

- Advised Vigor Industrial LLC, an Oregon-based company, engaged in shipbuilding and repair and complex fabrication, in its sale to private equity firms The Carlyle Group and Stellex Capital Management. The transaction was part of a combined purchase by the buyer of both Vigor and Marine Hydraulics International, LLC, a Virginia-based major marine repair and conversion contractor
- Represented a global energy conglomerate with the purchase of a surface mining manufacturing company in a transaction worth approximately US$1.28 billion
- Represented a global energy conglomerate on the sale of one of its business lines to a global private equity firm following an auction process

- Advised a regional distributor of industrial equipment in its acquisition of the assets of a hose and fittings distributor
- Represented a private equity investor investing in agribusinesses headquartered in the Western United States, in regulatory and contract matters in connection with its acquisition of assets of a California-based processor of fresh sliced apples, oranges, pears, and other packaged fruits
- Represented a private equity investor investing in agribusinesses headquartered in the Western United States in its second acquisition from its first fund, acquiring 100% of the membership interests of a processor of fresh sliced apples and other packaged fruits
- Represented a Washington-based producer and supplier of potato and tapioca starches to the paper and food industries in its sale to an Illinois-based leading global ingredients solutions company
- Representation of closely held private investment group in its acquisition of an industrial parts manufacturer in Indiana
- Representation of ship and industrial repair service in San Diego, California in connection with its acquisition by a competitor
- Assisted a client with purchase of accounting practice and related commercial real estate
- Represented a subsidiary of a Missouri-based agricultural biotechnology company on a revolving asset based loan facility and term loan facilities provided by First National Bank of Omaha
- Represented a national wholesale tire distributor in connection with its financing used to fund working capital and general corporate matters. The financing consisted of a US$200 million secured ABL credit facility
- Represented one of Japan's largest trust companies as lender on a multifamily property in Portland, Oregon
- Assisted with drafting supplier agreements for a US seafood processor
- Assisted a registered investment adviser specializing in global farmland and timberland portfolio development and management, with state and federal regulatory contract diligence in connection with integrated apple farming and facility acquisitions
- Assisted with drafting supplier agreements for a year-round produce grower and shipper specializing in berries
- Represented a client in its acquisition of assets from a family-owned autobody and collision repair shop.
- Represented a logistics company in connection with its sale to a global logistics solutions provider.
- Assisted a publicly traded specialty metals company and certain of its domestic subsidiaries as they closed a US$600 million Revolving Credit, Term Loan, and Delayed Draw Term Loan Agreement in a syndicated secured asset-based loan transaction.
- Represented a supplier of aerospace structures, ground equipment, and tooling serving a variety of customers throughout the aerospace industry in its sale to a then-newly-formed subsidiary of a Dallas, Texas-based private equity fund managing US$2 billion in aggregated capital commitments.

- Represented a nationwide permit expediting and consulting firm in its sale to a building code and permit expediting consulting company and subsidiary of a private equity firm that invests in high-growth, lower-middle-market companies in the outsourced business services sector.
- Advised a distributor of fluid connectors, fluid power equipment, instrumentation products and seals, in its acquisition of the assets of an industrial parts distributor with 11 locations across California, Arizona, and Nevada.
- Advised a leading provider of home healthcare supplies in connection with a syndicated credit facility. The transaction provided partial funding for the acquisition of a competitor in a deal worth more than US$2 billion in cash and stock. The new revolving and term loan facilities have more than 200 subsidiary guarantors organized in 36 states.
- Represented a publicly traded global leader in unmanned aircraft systems and tactical missile systems in connection with a new credit facility. The transaction provided a revolving loan and a term loan and was used, in part, to finance an acquisition.
- Represented a recycling solutions and environmental services company in its acquisition of a manufacturer of custom polyethylene-based films and bags for markets throughout the United States
- Represented a national material handling installer specializing in pallet racking/shelving installation in its sale to a subsidiary of a lower-middle-market private equity firm.