

PRESS RELEASE

Osnabrück, 27 March 2023

Berner GmbH continues restructuring in self-administration

The manufacturing sector in Germany is currently being hit hard. The reasons are massive increases in material prices and energy costs due to the indirect consequences of the Corona pandemic, disrupted supply chains and the Ukraine war. As a consequence of the economic crisis and insolvency of an important customer, Berner GmbH, based in Osnabrück, decided to continue its restructuring course within the framework of a petition filed on 23.03.2023 with the competent Osnabrück Local Court for the initiation of insolvency proceedings in self-administration. Berner GmbH is active in the field of shop fitting, especially for bakeries, and is currently facing considerable cost increases. In addition there is also a massive reluctance to buy on the part of its core clientele, who have also been severely affected by the general economic conditions. The self-administration process is intended to give the company the opportunity to bring the restructuring measures already initiated to a successful conclusion in order to reposition itself under the changed market conditions.

The management of Berner GmbH has been complemented by the restructuring experts Prof. Dr. Gerrit Hölzle and Dr. Karl-Friedrich Curtze. Both GÖRG partners have many years of experience in advising on large-scale self-administration proceedings. The GÖRG team will now develop a restructuring plan together with the operational management of Berner. Berner's performance towards its customers is not to be affected by the decision to complete the restructuring under court supervision. Experienced teams from reconomis (Bodo Mall, Nils Andersson-Lindström and Philipp Kläner) and WAYES (led by Konrad Martin) are supporting the commercial and legal restructuring process.

The application to initiate self-administration proceedings is generally only granted by the competent local court if there is a prospect of restructuring the company. In accordance with this requirement, the Osnabrück District Court has appointed lawyer Dr. Malte Köster from the law firm of WILLMERKÖSTER as provisional trustee. He will now cooperate constructively with the self-administration and work out solutions together with them in order to enable another well-known commercial enterprise in Germany to find a way out of the unavoidable consequences of the current economic crisis. Pre-financing for insolvency payments has been initiated for the company's approximately 120 employees so that wages and salaries are secured until the end of May.

Communications & Marketing

Benjamin Kuthning

Phone +49 221 33660-161, E-Mail: bkuthning@goerg.de

About GÖRG

GÖRG is one of Germany's leading independent commercial law firms and is among the top 10 German insolvency law firms. More than 300 highly specialized lawyers and tax advisors work at five central locations in Hamburg, Berlin, Cologne, Frankfurt/M. and Munich as well as in 26 other insolvency administration offices nationwide. Among them are numerous insolvency and restructuring experts who have already drawn attention to themselves in renowned insolvency and restructuring proceedings throughout Germany.

Our Offices

BERLIN

Kantstr. 164, 10623 Berlin
Phone +49 30 884503-0
Fax +49 30 882715-0

HAMBURG

Alter Wall 20 - 22, 20457 Hamburg
Phone +49 40 500360-0
Fax +49 40 500360-99

FRANKFURT AM MAIN

Ulmenstr. 30, 60325 Frankfurt am Main
Phone +49 69 170000-17
Fax +49 69 170000-27

COLOGNE

Kennedyplatz 2, 50679 Köln
Phone +49 221 33660-0
Fax +49 221 33660-80

MUNICH

Prinzregentenstr. 22, 80538 München
Phone +49 89 3090667-0
Fax +49 89 3090667-90

About reconomis

In order to maintain or quickly regain the ability to act in special situations, the advisors of reconomis Rechtsanwalts-GmbH develop legally secure and commercially viable solutions together with entrepreneurs and other stakeholders in a trusting, eye-to-eye and opportunity-oriented manner. With offices in Bremen and Hamburg, reconomis offers legal and business restructuring advice from a single source.

About WAYES

WAYES is an independent management consultancy specializing in the key issues facing small and medium-sized enterprises. The business areas of restructuring, process, transaction and transformation stand for successful change. WAYES is represented in Hamburg, Berlin, Bremen, Hannover and Oldenburg and currently employs over 70 people. Its clients include well-known owner-managed and listed companies, which are shown the way to new opportunities. Founded over 20 years ago, WAYES paves the way to positive change for companies.

About WILLMERKÖSTER

As a fully digitalised law firm, WILLMERKÖSTER is geared towards making the most of restructuring opportunities in insolvency law - both in traditional insolvency administration and in the context of self-administration. The firm has proven its expertise and performance as a highly specialised unit in numerous restructurings of companies of various sizes and from different industries. With a team of over 100 employees at 12 offices, WILLMERKÖSTER is one of the most efficient insolvency administrator law firms in Germany and is regularly appointed by around 30 insolvency courts.