

Articles + Publications | March 7, 2024

# What Is a Stalking Horse Bidder in a Section 363 Sale and Why Might I Want to Be One?

## Creditor's Rights Toolkit

### CONTACTS

[David M. Fournier](#) | [Evelyn J. Meltzer](#) | [Kenneth A. Listwak](#) | [Tori Lynn Remington](#)

---

Serving as the stalking horse bidder in a Section 363 sale can provide a buyer with financial and legal protections, as well as better position the buyer to ultimately acquire the debtor's assets.

This article addresses the key issues regarding being a stalking horse bidder in a bankruptcy case. To access this article and read other insights from our Creditor's Rights Toolkit, [please click here](#).

### RELATED INDUSTRIES + PRACTICES

- [Bankruptcy + Restructuring](#)
- [Debtor + Committee Representations](#)
- [Distressed Mergers + Acquisitions](#)
- [Trade Creditors Representation](#)