

Loan and Security Agreement Sample Contracts

Calix, Inc – FIRST AMENDMENT TO LOAN AND SECURITY AGREEMENT (January 6th, 2021)

This FIRST AMENDMENT TO LOAN AND SECURITY AGREEMENT (this “Amendment”), dated as of December 30, 2020, is by and among CALIX, INC., a Delaware corporation (the “Borrower”), each of the lenders signatory hereto (the “Lenders”), and BANK OF AMERICA, N.A., as agent for the Lenders (in such capacity, the “Agent”). Capitalized terms used herein and not otherwise defined shall have the meaning assigned such term in the Loan Agreement (as defined below).

Orion Energy Systems, Inc. – LOAN AND SECURITY AGREEMENT Dated as of December 29, 2020
ORION ENERGY SYSTEMS, INC., GREAT LAKES ENERGY TECHNOLOGIES, LLC, CLEAN ENERGY SOLUTIONS, LLC, ORION ASSET MANAGEMENT, LLC and ORION TECHNOLOGY VENTURES, LLC, as Borrowers, BANK OF AMERICA, N.A., ... (January 5th, 2021)

THIS LOAN AND SECURITY AGREEMENT is dated as of December 29, 2020, among ORION ENERGY SYSTEMS, INC., a Wisconsin corporation (“Company”), GREAT LAKES ENERGY TECHNOLOGIES, LLC, a Wisconsin limited liability company (“Great Lakes”), CLEAN ENERGY SOLUTIONS, LLC, a Wisconsin limited liability company (“Clean Energy”) and ORION ASSET MANAGEMENT, LLC, a Wisconsin limited liability company (“Asset Management”), ORION TECHNOLOGY VENTURES, LLC, a Wisconsin limited liability company (“Orion Technology”) and together with the Company, Great Lakes and Clean Energy, collectively, “Borrowers”), and BANK OF AMERICA, N.A., a national banking association (including any Lending Office, “Lender”).

NMF SLF I, Inc. – Up To U.S. \$350,000,000 Form of LOAN AND SECURITY AGREEMENT by and among New Mountain Finance Advisers BDC, L.L.C., as the Collateral Manager NMF SLF I SPV, L.L.C., as the Borrower NMF SLF I, INC., as the Equityholder and as the Seller EACH OF THE ... (December 30th, 2020)

EXHIBIT L-2 Form of Tax Certificate (For Foreign Participants That Are Not Partnerships For U.S. Federal Income Tax Purposes)

Blonder Tongue Laboratories Inc – SECOND Amendment to SENIOR SUBORDINATED CONVERTIBLE LOAN AND SECURITY AGREEMENT (December 29th, 2020)

This Second Amendment to Senior Subordinated Convertible Loan and Security Agreement (this “Second Amendment”), dated as of December 28, 2020 (the “Second Amendment Effective Date”), is among Blonder Tongue Laboratories, Inc., a Delaware corporation (the “Company”), the several Persons party to this Amendment as Lenders, and Robert J. Pallé, in his capacity as Agent for the Lenders (“Agent”).

Manitex International, Inc. – NINTH AMENDMENT TO LOAN AND SECURITY AGREEMENT (December 23rd, 2020)

THIS NINTH AMENDMENT TO LOAN AND SECURITY AGREEMENT (this “Amendment”) entered into as of this 22 day of December, 2020 is by and among MANITEX INTERNATIONAL, INC., a Michigan corporation (“Manitex International”), MANITEX, INC., a Texas corporation (“Manitex”), MANITEX SABRE, INC., a Michigan corporation (“Sabre”), BADGER EQUIPMENT COMPANY, a Minnesota corporation (“Badger”), CRANE AND MACHINERY, INC., an Illinois corporation (“Crane and Machinery”), CRANE AND MACHINERY LEASING, INC., an Illinois corporation (“Crane and

Machinery Leasing”), and MANITEX, LLC, a Delaware limited liability company (“Manitex LLC”; together with Manitex International, Manitex, Sabre, Badger, Crane and Machinery, and Crane and Machinery Leasing, collectively, the “Borrowers”), CIBC BANK, USA, formerly known as The PrivateBank and Trust Company (in its individual capacity, “CIBC Bank”), as administrative agent and sole lead arranger (in such capacity, “Administrative Agent”), and the lenders party thereto (t

X4 Pharmaceuticals, Inc – AMENDMENT NO. 2 TO LOAN AND SECURITY AGREEMENT
(December 23rd, 2020)

THIS AMENDMENT NO. 2 TO LOAN AND SECURITY AGREEMENT (the “Second Amendment”) is dated as of December 21, 2020 (the “Second Amendment Date”) and is entered into by and among X4 PHARMACEUTICALS, INC., a Delaware corporation (the “Company”), and each of its Qualified Subsidiaries, including without limitation X4 THERAPEUTICS, INC. (“Therapeutics”) (hereinafter collectively referred to as the “Borrower”), the several banks and other financial institutions or entities from time to time parties hereto (collectively, referred to as “Lender”) and HERCULES CAPITAL, INC., a Maryland corporation, in its capacity as administrative agent for itself and the Lender (in such capacity, the “Agent”). Capitalized terms used herein without definition shall have the same meanings given them in the Agreement (as defined below).

Colonnade Acquisition Corp. – SECOND AMENDMENT TO LOAN AND SECURITY AGREEMENT
(December 22nd, 2020)

This SECOND AMENDMENT TO LOAN AND SECURITY AGREEMENT (this “Amendment”) is dated as of August 5, 2019, by and among OUSTER, INC., a Delaware corporation (“Borrower Representative”), and each other Person party hereto as a borrower from time to time (collectively, “Borrowers”, and each, a “Borrower”), the lenders from time to time party hereto (collectively, “Lenders”, and each, a “Lender”), and RUNWAY GROWTH CREDIT FUND INC., as administrative agent and collateral agent for Lenders (in such capacity, “Agent”).

Tabula Rasa HealthCare, Inc. – TABULA RASA HEALTHCARE GROUP, INC., TABULA RASA HEALTHCARE, INC., CK SOLUTIONS, LLC, PERSONICA, LLC, TRHC TPA, LLC, AND PERSONIFILRX, LLC, as BORROWERS, WESTERN ALLIANCE BANK, as ADMINISTRATIVE AGENT, and REGIONS BANK, as DOCUMENTATION AGENT LOAN AND ... (December 22nd, 2020)

Exela Technologies, Inc. – LOAN AND SECURITY AGREEMENT Dated as of December 10, 2020 by and among EXELA RECEIVABLES 3, LLC, as Borrower, THE PERSONS FROM TIME TO TIME PARTY HERETO, as Lenders, ALTER DOMUS (US) LLC, as Administrative Agent, and EXELA TECHNOLOGIES, INC., as Initial ... (December 17th, 2020)

THIS FIRST TIER INVENTORY PURCHASE AND SALE AGREEMENT dated as of [●] (this “Agreement”) is among EXELA TECHNOLOGIES, INC., a Delaware corporation (“Exela”), as initial servicer (in such capacity, the “Initial Servicer”), THE PERSONS IDENTIFIED ON THE SIGNATURE PAGES HERETO AS ORIGINATORS (the “Originators” and each, an “Originator” unless such Person is no longer an affiliate of Exela as set forth in this Agreement), and EXELA RECEIVABLES 3 HOLDCO, LLC, a Delaware limited liability company (the “Buyer”).

908 Devices Inc. – SIGNATURE BANK LOAN AND SECURITY AGREEMENT (December 16th, 2020)

This LOAN AND SECURITY AGREEMENT (this "Agreement") is entered into as of August 29, 2019 by and between SIGNATURE BANK ("Bank") and 908 DEVICES INC. ("Borrower").

Soligenix, Inc. – LOAN AND SECURITY AGREEMENT (December 16th, 2020)

THIS LOAN AND SECURITY AGREEMENT is made and dated as of December 15, 2020 and is

entered into by and between Soligenix, Inc., a corporation incorporated in the State of Delaware, and each of its Subsidiaries from time to time party hereto, including the Subsidiaries set forth on Schedule I hereto (collectively referred to as “Borrower”), Pontifax Medison Finance (Israel) L.P. and Pontifax Medison Finance (Cayman) L.P. (each a “Lender” and collectively, the “Lenders”) and Pontifax Medison Finance GP, L.P., in its capacity as administrative agent and collateral agent for itself and Lenders (in such capacity, “Agent”).

Allied Corp. – Loan and security agreement. (December 16th, 2020)

This Loan and Security Agreement ("Agreement") is made this _____ day of May 2020 between SLCI1, LLC, a Colorado limited liability company ("Lender") and Allied Corp., a Delaware corporation ("Borrower").

Venus Concept Inc. – LOAN AND SECURITY AGREEMENT [MAIN STREET PRIORITY LOAN FACILITY] (December 15th, 2020)

THIS LOAN AND SECURITY AGREEMENT (this “Agreement”) dated as of this 8th day of December, 2020, by and between VENUS CONCEPT USA INC., a Delaware corporation, whose address is 1880 N. Commerce Parkway, Suite 2, Weston, Florida 33326 (the “Borrower”), and CITY NATIONAL BANK OF FLORIDA, its successors and/or assigns (the “Lender”), whose address is 100 S.E. 2nd Street, 13th Floor, Miami, Florida 33131.

Foghorn Therapeutics Inc. – LOAN AND SECURITY AGREEMENT (November 25th, 2020)

THIS LOAN AND SECURITY AGREEMENT (as the same may from time to time be amended, modified, supplemented or restated, this “Agreement”) dated as of November 19, 2020 (the “Effective Date”) among OXFORD FINANCE LLC, a Delaware limited liability company with an office located at 133 North Fairfax Street, Alexandria, Virginia 22314 (“Oxford”), as collateral agent (in such capacity, “Collateral Agent”), the Lenders listed on Schedule 1.1 hereof or otherwise a party hereto from time to time including Oxford in its capacity as a Lender (each a “Lender” and collectively, the “Lenders”), and FOGHORN THERAPEUTICS INC., a Delaware corporation with offices located at 500 Technology Square, Suite 700, Cambridge, MA 02139 (“Borrower”), provides the terms on which the Lenders shall lend to Borrower and Borrower shall repay the Lenders. The parties agree as follows:

Verona Pharma PLC – LOAN AND SECURITY AGREEMENT (November 24th, 2020)

THIS LOAN AND SECURITY AGREEMENT (this “Agreement”) dated and effective as of November 19, 2020 (the “Effective Date”), by and among SILICON VALLEY BANK, a California corporation (“Bank”), VERONA PHARMA PLC., A COMPANY REGISTERED UNDER THE LAWS OF England and Wales with company number 05375156 (“Parent” or “UK Borrower”) and VERONA PHARMA, INC., a Delaware corporation (“US Borrower” and together with UK Borrower, each a “Co-Borrower” and collectively “Co-Borrowers”), provides the terms on which Bank shall lend to Co-Borrowers and Co-Borrowers shall repay Bank. The parties agree as follows:

GTY Technology Holdings Inc. – LOAN AND SECURITY AGREEMENT by and among GTY TECHNOLOGY HOLDINGS INC., (Borrower), THE GUARANTORS PARTY FROM TIME TO TIME PARTY HERETO, (Guarantors) THE FINANCIAL INSTITUTIONS FROM TIME TO TIME PARTY HERETO (Lenders), and ACQUIOM AGENCY SERVICES LLC ... (November 16th, 2020)

Triton International LTD – EXHBIT 10.1 CONFORMED COPY Amendment Number 1, 2/8/19 Amendment Number 2, 11/4/19 Omnibus Amendment Number 1, 11/13/20 LOAN AND SECURITY AGREEMENT among TIF FUNDING LLC, as Borrower the LENDERS from time to time party hereto, WELLS FARGO BANK, NATIONAL ... (November 16th, 2020)

Sigilon Therapeutics, Inc. – LOAN AND SECURITY AGREEMENT (November 13th, 2020)

THIS LOAN AND SECURITY AGREEMENT (as the same may from time to time be amended, modified, supplemented or restated, this “Agreement”) dated as of September 2, 2020 (the “Effective Date”) among OXFORD FINANCE LLC, a Delaware limited liability company with an office located at 133 North Fairfax Street, Alexandria, Virginia 22314 (“Oxford”), as collateral agent (in such capacity, “Collateral Agent”), the Lenders listed on Schedule 1.1 hereof or otherwise a party hereto from time to time including Oxford in its capacity as a Lender (each a “Lender” and collectively, the “Lenders”), and SIGILON THERAPEUTICS, INC., a Delaware corporation with offices located at 100 Binney Street, Suite 600, Cambridge, MA 02142 (“Borrower”), provides the terms on which the Lenders shall lend to Borrower and Borrower shall repay the Lenders. The parties agree as follows:

Hydrofarm Holdings Group, Inc. – SEVENTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT (November 12th, 2020)

This SEVENTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT, dated as of June 27, 2019 (this "Seventh Amendment"), is made and entered into by and among HYDROFARM HOLDINGS LLC, a Delaware limited liability company ("Holdings"), HYDROFARM, LLC, a California limited liability company ("Hydrofarm"), EHH HOLDINGS, LLC, a Delaware limited liability company ("EHH"), and SUNBLASTER LLC, a Delaware limited liability company ("SunBlaster" and together with Hydrofarm and EHH, each, a "U.S. Borrower" and collectively, the "U.S. Borrowers"), HYDROFARM CANADA, LLC, a Delaware limited liability company ("Hydrofarm Canada"), EDDI'S WHOLESALE GARDEN SUPPLIES LTD., a British Columbia company ("Eddi") and SUNBLASTER HOLDINGS ULC, a British Columbia unlimited liability company ("Sunblaster Canada"; together with GSD and Eddi, each, a "Canadian Borrower" and collectively, the "Canadian Borrowers"; and together with U.S. Borrowers, each a "Borrower" and collectively, the "Borrowers" and toge

Hydrofarm Holdings Group, Inc. – FOURTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT (November 12th, 2020)

This FOURTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT, dated as of March 15, 2019 (this “Fourth Amendment”), is made and entered into by and among HYDROFARM HOLDINGS LLC, a Delaware limited liability company (“Holdings”), HYDROFARM, LLC, a California limited liability company (“Hydrofarm”), EHH HOLDINGS, LLC, a Delaware limited liability company (“EHH”), and SUNBLASTER LLC, a Delaware limited liability company (“SunBlaster” and together with Hydrofarm and EHH, each, a “U.S. Borrower” and collectively, the “U.S. Borrowers”), HYDROFARM CANADA, LLC, a Delaware limited liability company (“Hydrofarm Canada”), EDDI’S WHOLESALE GARDEN SUPPLIES LTD., a British Columbia company (“Eddi”) and SUNBLASTER HOLDINGS ULC, a British Columbia unlimited liability company (“Sunblaster Canada”; together with GSD and Eddi, each, a “Canadian Borrower” and collectively, the “Canadian Borrowers”; and together with U.S. Borrowers, each a “Borrower” and collectively, the “Borrowers” and toge

Hydrofarm Holdings Group, Inc. – AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT Dated as of November 8, 2017 HYDROFARM HOLDINGS LLC, as Holdings HYDROFARM, LLC, WJCO LLC, EHH HOLDINGS, LLC, SUNBLASTER LLC, as U.S. Borrowers, GS DISTRIBUTION INC., SUNBLASTER HOLDINGS ULC, and EWGS ... (November 12th, 2020)

THIS AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT (including all exhibits and schedules hereto, as the same may be amended, supplemented, restated, and/or otherwise modified from time to time, this “Agreement”) is dated as of November 8, 2017, among HYDROFARM HOLDINGS LLC, a Delaware limited liability company (“Holdings”), HYDROFARM, LLC, a California limited liability company (“Hydrofarm”), EHH HOLDINGS, LLC, a Delaware limited liability company (“EHH”), SUNBLASTER LLC, a Delaware limited liability company (“SunBlaster”), and WJCO LLC, a Colorado limited liability company (“WJCO”; together with Hydrofarm, EHH, SunBlaster

and any other party joined hereto as a U.S. Borrower, each, a “U.S. Borrower” and collectively, the “U.S. Borrowers”), GS DISTRIBUTION INC., a British Columbia company (“GSD”), EWGS DISTRIBUTION INC., a British Columbia company (“EWGS”; immediately upon consummation of the Share Acquisition and execution of the Assumption Agreement, EWGS shall be succeeded as a C

Flux Power Holdings, Inc. – LOAN AND SECURITY AGREEMENT (November 12th, 2020)

THIS LOAN AND SECURITY AGREEMENT (this “Agreement”) dated as of November 9, 2020 (the “Effective Date”) by and among (i) SILICON VALLEY BANK, a California corporation (“Bank”), (ii) FLUX POWER, INC., a California corporation (“Flux”), and (iii) FLUX POWER HOLDINGS, INC., a Nevada corporation (“Holdings”, and together with Flux, individually and collectively, jointly and severally, the “Borrower”) provides the terms on which Bank shall lend to Borrower and Borrower shall repay Bank. The parties agree as follows:

Trevi Therapeutics, Inc. – LOAN AND SECURITY AGREEMENT (November 12th, 2020)

THIS LOAN AND SECURITY AGREEMENT (this “Agreement”) dated as of August 13, 2020 (the “Effective Date”) between SILICON VALLEY BANK, a California corporation with a loan production office located at 275 Grove Street, Suite 2-200, Newton, Massachusetts 02466 (“Bank”), and TREVI THERAPEUTICS, INC., a Delaware corporation (“Borrower”), provides the terms on which Bank shall lend to Borrower and Borrower shall repay Bank. The parties agree as follows:

Hydrofarm Holdings Group, Inc. – SIXTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT (November 12th, 2020)

This SIXTH AMENDMENT TO AMENDED AND RESTATED LOAN AND SECURITY AGREEMENT, dated as of June 10, 2019 (this "Sixth Amendment"), is made and entered into by and among HYDROFARM HOLDINGS LLC, a Delaware limited liability company ("Holdings"), HYDROFARM, LLC, a California limited liability company ("Hydrofarm"), EHH HOLDINGS, LLC, a Delaware limited liability company ("EHH"), and SUNBLASTER LLC, a Delaware limited liability company ("SunBlaster" and together with Hydrofarm and EHH, each, a "U.S. Borrower" and collectively, the "U.S. Borrowers"), HYDROFARM CANADA, LLC, a Delaware limited liability company ("Hydrofarm Canada"), EDDI'S WHOLESALE GARDEN SUPPLIES LTD., a British Columbia company ("Eddi") and SUNBLASTER HOLDINGS ULC, a British Columbia unlimited liability company ("Sunblaster Canada"; together with GSD and Eddi, each, a "Canadian Borrower" and collectively, the "Canadian Borrowers"; and together with U.S. Borrowers, each a "Borrower" and collectively, the "Borrowers" and together

Hydrofarm Holdings Group, Inc. – LOAN AND SECURITY AGREEMENT Dated as of JULY 11, 2019 by and among HYDROFARM, LLC SUNBLASTER LLC SUNBLASTER HOLDINGS ULC HYDROFARM CANADA, LLC EDDI'S WHOLESALE GARDEN SUPPLIES LTD., as Borrowers, EHH HOLDINGS, LLC HYDROFARM HOLDINGS LLC, as Loan Party ... (November 12th, 2020)

Hydrofarm Holdings Group, Inc. – LOAN AND SECURITY AGREEMENT (November 12th, 2020)

THIS LOAN AND SECURITY AGREEMENT (including all exhibits and schedules hereto, as the same may be amended, supplemented, restated, and/or otherwise modified from time to time, this “Agreement”) is dated as of May 12, 2017, among HYDROFARM HOLDINGS LLC, a Delaware limited liability company (“Initial Borrower” or “Holdings”; immediately upon consummation of the Closing Date Acquisition and execution of the Assumption Agreement, Initial Borrower shall be succeeded as a Borrower hereunder by Hydrofarm, LLC, a California limited liability company (“Hydrofarm”), EHH Holdings, LLC, a Delaware limited liability company (“EHH”), SunBlaster LLC, a Delaware limited liability company (“SunBlaster”), and WJCO LLC, a Colorado limited liability company (“WJCO”)), the other parties from time to time signatory hereto as Obligor, the financial institutions party to this Agreement from time to time as Lenders, and BANK OF AMERICA, N.A., a national banking association, as agent for the Lenders (in such

