

## Jeffrey N. Rothleder

**Partner**

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### About Jeffrey

Jeff Rothleder's practice focuses on complex commercial matters such as financial restructuring, distressed financing transactions, corporate trust matters and workout proceedings on behalf of financially distressed companies or their creditors, including representation of debtors, indenture trustees, creditors and creditors' committees, sureties, lenders, investors and purchasers in in-court and out-of-court restructurings.

Jeff represents a wide variety of clients in the enforcement of the entire spectrum of creditors' rights involving secured, unsecured, public or private, as well as taxable and tax-exempt debt through his work with indenture trustees, lenders, companies or institutions, individual creditors and official committees in Chapter 11 cases.

Jeff also has extensive experience representing debtors and other distressed entities, including the restructuring of large companies through the Chapter 11 process or conducting the orderly liquidating and comprehensive asset sales for a diverse group of companies, with a constant view toward balancing the maximization of recoveries for creditors with the protection of the rights of debtors and sellers. Jeff is a member of the Association of British Insurers (ABI) and the Maryland Bankruptcy Bar. Jeff is a member of the Advisory Committee for ABI's VALCON and Mid-Atlantic Conferences as well as National Conference of Bankruptcy Judges' (NCBJ's) NextGen program.

### Experience

(Representations listed include certain matters that were completed while with previous firms.)

- Representation of Lutheran Life Communities and its affiliates entities in its Chapter 11 reorganization.
- Representation of Ferrellgas Partners, LP and its affiliated entities in its Chapter 11 reorganization and out-of-court restructuring and refinancings.
- Representation of a not-for-profit higher education institution in connection with a complex multimillion-dollar bond restructuring and refinancing.

- Representation of indenture trustees in the Chapter 11 bankruptcy proceedings of Rite Aid Corporation, Klochner Pentaplast, WeWork, Inc., ShopKo Stores, California Resources Corporation, Sabine Oil & Gas Corporation, Magnum Hunter Resources Corporation, Advanta Corporation, Simmons Bedding Company, Pliant Corporation, R.H. Donnelley Inc., PFF Bancorp, Inc., Silver State Bancorp, ATA Holdings Corporation, Home Valley Bancorp, ATA Holdings Corp., First Mariner, Mercantile Bancorp, BankAtlantic Bancorp, Inc. and Fremont General Corporation.
- Representation of indenture trustee in out-of-court restructuring transactions.
- Representation of surety in conjunction with distress loan refinancings.
- Representation of monoline insurers both in and out of court in various matters related to distressed insurers of municipal and private debt.
- Representation of a foreign investment fund in resolving an ownership dispute and the corresponding sale of the subject company for a significant return on its investment.
- Representation of a billion-dollar surety in connection with mitigation of its risk relating to a distressed contractor.
- Representation of a national real estate developer in retail bankruptcy proceedings in the District of Delaware with respect to certain developmental and investment interests.
- Representation of the official committee of unsecured creditors in the Chapter 11 bankruptcy proceedings of BJ Services, Inc., Morris | Schneider | Wittstadt Va, PLLC, Allied Nevada Corporation, Cengage Learning, Inc., Accredited Home Lenders Holding Co., Energy and Exploration Properties, Inc., SDI Solutions, LLC, Luminent Mortgage Corporation, Fieldstone Mortgage Company, Asyst Technologies, Distributed Energy Corporation, and Dexterity Surgical, Inc.
- Representation of independent directors through distressed restructurings.
- Representation of the liquidating trustee of the WeWork Creditor Trust, MSW Liquidating Trust and the SDI Liquidation Trust.
- Representation of Fannie Mae as the primary secured lender in numerous separate single-asset bankruptcy cases in various districts across the country.
- Representation of a debtor-in-possession where the confirmed plan of liquidation paid all creditors in full with interest in the Middle District of Florida.
- Representation of a syndicate of secured creditors for a group of affiliated radio stations across the southeastern US that resulted in a successful liquidation of the debtors' assets.
- Representation of creditors, including automobile dealers, in the Chrysler and General Motors Chapter 11 cases.
- Representation of purchasers of real property and other assets in the bankruptcy sale process.
- Representation of defendants in numerous preference, fraudulent transfer and other bankruptcy litigation matters.

## Credentials

### Education

- University of Maryland School of Law, J.D., Order of Coif, 2002
- University of Michigan, B.A., 1999

### Admissions

- Virginia, 2017

- District of Columbia, 2005
- Maryland, 2002

## Courts

- U.S. Dist. Ct., Dist. of Maryland
- U.S. Dist. Ct., Dist. of Columbia
- U.S. Dist. Ct., E. Dist. of Virginia
- U.S. Dist. Ct., N. Dist. of Illinois
- U.S. Ct. of App., Fourth Circuit
- U.S. Ct. of App., Second Circuit

## Memberships & Affiliations

- American Bankruptcy Institute
- Maryland Bankruptcy Bar Association
- Membership Chair, American Bar Association Committee on Trust Indentures and Indenture Trustees
- Advisory Board, American Bankruptcy Institute Mid-Atlantic Conference
- Advisory Board, American Bankruptcy Institute Valcon

## Expertise

## Services

- Restructuring & Insolvency
- Sovereign Advisory

## Publications & Speaking Engagements

- Author, "Oversight – Who Needs It and What Is the Proper Form?", *Review of Banking & Financial Services*, December 2024.
- Co-author, "SVB Bankruptcy Case Raises Asset Control Questions," *Law360*, August 2, 2023.
- Moderator, "Mid-Level/Mid-Career Decisions," ABI Mid-Level Professional Development Program, November 2021.
- Speaker, "Ethics: Know Before You Go," ABI Mid-Atlantic Bankruptcy Workshop, (virtual conference), August 2021.
- Speaker, "Ethics in Health Care Insolvencies," VALCON 2021 (virtual conference).
- Panelist, "Financial Advisors Toolbox Part 2", 36th Annual Bankruptcy & Restructuring Conference Virtual Series, June 2021.
- Co-author, "A Transfer Is Not Always A Transfer – Or Is It?" *ABI Journal*, April 2018.
- Co-author, "Medicare Providers, Beware of Government Recoupment," *ABI Bankruptcy Litigation Committee Newsletter*, January 2018.
- Panelist, "Decisions, Decisions: Investment Strategy," American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop, August 2017.
- Speaker, "The Proper Role of an Examiner in Chapter 11," VALCON 2017, Las Vegas, Nevada, March 2017.

- "The Energy Future Holding Corp. Decision: Validating Tender Offers and Limiting the Application of Confirmation Requirements in Bankruptcy Settlements," *Pratt's Journal of Bankruptcy Law*, July/August 2015.
- "DIP and Exit Financing Challenges and Issues in Today's Private Equity Environment," *Inside the Minds: Strategies for Debtor-In-Possession and Exit Financing*, July 2015.
- "Adequately Reforming Adequate Protection?" *ABI Business Reorganization Committee Newsletter*, June 2015.
- "An Ongoing Tax Refund Saga For Bank Holding Companies," *Law360*, March 2015.
- "Clarifying TruPS Holders' Exercise Of Remedial Rights," *Law360*, October 2014.
- "A 3rd Circ. Opinion On Third-Party Releases," *Law360*, August 2014.
- "Validating A Holder's Right to Elect Chapter 7 Trustee," *Law360*, August 2012.
- "Deja Vu: Some Companies Face Fresh Restructurings," *Daily Bankruptcy Review*, May 23, 2012.

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.