

Curriculum Vitae – November 2021

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mobile 484.432.3430
fax 302.655.6063

SUMMARY:

A highly skilled advisor, consultant and nationally certified professional mediator, specializing in restructuring and turnaround of operationally and financially troubled companies. Advisor to creditors of troubled companies with an extensive track record of success in strategic development, assessments, management, turnarounds and improvement/preservation of value for creditors.

EXPERIENCE:

Gavin/Solmonese LLC
Wilmington, DE & National US

Managing Director and Founding Partner

Originate and lead engagements to provide restructuring, turnaround, asset sale and structured liquidation advisory services, including holding interim financial, management and/or Trustee positions, to debtors and creditors in bankruptcy and out-of-court restructurings, turnarounds and workouts, as well as advise public and quasi-public entities on operational and financial matters.

Leader, Corporate Restructuring & Fiduciary Services Practice Group

Responsible for development, selling and oversight of all engagements related to bankruptcy, fiduciary (trustee) and creditors rights representations, including trusteeships of liquidating trusts, litigation consulting, creditors' committees, lender engagements, discrete creditor and *ad hoc* committee engagements related to bankruptcy proceedings, out-of-court restructurings and fiduciary assignments such as liquidation trusteeships, wind-downs and bankruptcy liquidation alternatives

Representative Engagements:

As Liquidating Trustee, Fiduciary or Receiver

In re Waterlink, Inc. et al (Bankr. D. Del)
In re Earthshell Corporation (Bankr. D. Del)
In re Rockaway Bedding, Inc. et al (Bankr. D. NJ)
SPM Trust Trustee in re Avado Brands et al (Bankr. D. Del)
In re Gallery Corp (Bankr. D. Del)
In re Maxjet Airways, Inc. (Bankr. D. Del)
In re PM Liquidating Trust, Inc. (Bankr. D. Del)
NetVersant GUC Trust (Bankr. D. Del)
In re Global Motorsport Group (Bankr. D. Del)
In re Interlake Material Handling et al (Bankr. D. Del)

919 N. Market Street
Suite 1410
Wilmington, DE 19801

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In re Crossroads Wireless (Bankr. D. Oklahoma (Western))
In re Sunset Cay Partners LLC (U.S. District Court, W.D. Virginia)
In re Electroglass (Bankr. D. Del)
Butler Liquidating Trust (Bankr. D. Del)
In re Medicor Ltd. (Bankr. D. Del)
In re PPI Holdings, Inc. (Bankr. D. Del)
In re Ultimate Escapes (Bankr. D. Del)
In re Broadstripe, LLC (Bankr. D. Del)
In re Frank Parsons, Inc. (Bankr. D. Maryland)
In re Prince Sports, Inc. (Bankr. D. Del)
In re Gametech, Inc. (Bankr. D. Del)
In re Highway Technology Services, Inc. (Bankr. D. Del)
In re Saab Cars North America, Inc. (Bankr. D. Del)
In re Tuscany Settlement Trust (Bankr. D. Del)
In re Nubisio Liquidating Trust (Bankr. D. Del)
In re AmCad Liquidating Trust (Bankr. D. Del)
In re SFG Liquidating Trust (Bankr. D. Del)
In re Citadel Watford City Disposal Partners, LP (Bankr. D. Del)
In re SquareTwo Financial Services (Bankr. S.D. NY)
In re Superior Air Charter LLC (Bankr. D. Del)
In re PQ New York, Inc. et al (Bankr. D. Del)

As Financial/Restructuring Advisor

In re GlassWorks WV, LLC (Bankr. N.D. W.Va.)
Financial Advisor to Pre- and Post-Petition Debtor
In re MUMA Services, et al (Bankr. D. Del.)
Financial Advisor and Chief Restructuring Officer
In re Montgomery Ward, LLC (Bankr, D. Del)
Member of Post-Confirmation Plan Administration Team
State of Delaware, Department of Transportation
Special Financial Advisor to Secretary of Transportation
In re Majesco, Inc. et al (Bankr. D. NJ)
Financial Advisor to Secured Lender
In re Waterlink, Inc. et al (Bankr. D. Del)
Financial Advisor to Official Committee of Unsecured Creditors
New Castle County, Delaware – Office of the County Executive
Advisor to Office of County Executive
In re Nobex, Inc. (Bankr. D. Del)
Financial Advisor to Official Committee of Unsecured Creditors
In re World Health Alternatives, Inc. et al (Bankr. D. Del)
Financial Advisor to Official Committee of Unsecured Creditors

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In re Rockaway Bedding, Inc. (Bankr. D. NJ)

Financial Advisor to Official Committee of Unsecured Creditors

In re Gallery Corp (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re American LaFrance, LLC (Bankr. D. Del)

Asset sale advisor to Debtor

In re Jancor Companies. (Bankr. D. Del.)

Financial Advisor to Official Committee of Unsecured Creditors

In re Interlake Material Handling, Inc. (Bankr. D. Del.)

Financial Advisor to Official Committee of Unsecured Creditors

In re PPI Holdings, Inc. (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Delfasco, Inc. (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Broadstripe, LLC (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re American Community Newspapers (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Vermillion, Inc. (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re DD-OH Family Partners et al (t/a Oskar Huber Fine Furniture) (Bankr. D. N.J.)

Financial Advisor to Debtor

In re Vion Pharmaceuticals (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re TLC Vision (USA) Corp (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Barcalounger Corp et al. (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Universal Building Products, et al (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re North General Hospital (North General Service Corp) (Bankr. S. D. N.Y.)

Financial Advisor to Official Committee of Unsecured Creditors

In re Frank Parsons Company (Bankr. D. Maryland)

Financial Advisor to Official Committee of Unsecured Creditors

In re Berkline, Inc. (Bankr. D. Del.)

Financial Advisor to Official Committee of Unsecured Creditors

In re Pegasus Rural Broadband et al (Bankr. D. Del)

Financial Advisor to Debtors

In re Open Range Communications (Bankr. D. Del)

Financial Advisor to Official Committee of Unsecured Creditors

In re Prince Sports, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Tri-Valley, Corp. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re GameTech, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re NTP Marble, Inc. (Bankr. E. Dist. Pa.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Kestrel Technologies, Inc. (Bankr. S. D. N.Y.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Conexant Systems, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Namco, LLC (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Oreck Corporation (Bankr. Cent. Dist. Tenn.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Highway Technologies, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re InThePlay, Inc. (Bankr. E. Dist. Penna.)
Chief Restructuring Officer & Financial Advisor to Debtor

In re MFM Delaware, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Stelera Wireless, Inc. (Bankr. W. Dist. Oklahoma)
Financial Advisor to Official Committee of Unsecured Creditors

In re Tuscany International Drilling, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Equity Security Holders

In re Simplicity, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Revel AC, Inc. et al (Bankr. D. New Jersey)
Financial Advisor to Official Committee of Unsecured Creditors

In re Nubisio, Inc. (Bankr. D. Del.)
Financial and Asset Sale Advisor to Debtor

In re Ultura, Inc. (Bankr. D. Del.)
Independent Director of four multinational European affiliates and parent

In re O. W. Bunker North America et al (Bankr. D. Conn.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Gulf Packaging, Inc. (Bankr. N. D. Ill.)
Chief Restructuring Officer

In re Citadel Energy Services, LLC (Bankr. D. Del.)
Chief Restructuring Officer

In re Sherwin Alumina, Inc. (Bankr. S. D. Texas)
Financial Advisor to Official Committee of Unsecured Creditors

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Private Community Day School (Wilmington, DE)
Restructuring & Turnaround Advisor to Board of Directors

Private U.S. Government Defense Contractor
Financial Advisor, Chief Restructuring Officer

In re SynCardia Systems, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Hampshire Group, Limited (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Limitless Mobile, LLC (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re United Road Towing, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re Aerospace Holdings, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

In re SquareTwo Financial Services Corporation (Bankr. S. D. New York)
Financial Advisor to Official Committee of Unsecured Creditors

In re Martin Manufacturing Corporation, Inc. (Bankr. E.D. North Carolina)
Asset Sale Advisor to Post-Confirmation Debtor

In re SeaStar Holdings, LLC (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

Constellation Health Group
Chief Executive Wind-Down Officer

Premium Beverage LLC / Lieb Cellars LLC
Chief Restructuring Officer

In re Videology, Inc. (Bankr. D. Del.)
Financial Advisor to Official Committee of Unsecured Creditors

Camelot Asset Holdings LLC
Wind-Down Officer

In re Consolidated Infrastructure Group LLC (Bankr. D. Del.)
Asset Sale Advisor & Financial Advisor to Debtor in Possession

In re Cherry Bros., LLC (Bankr. E. Dist. Penna)
Financial Advisor to Official Committee of Unsecured Creditors

In re Weyerbacher Brewing Company, Inc. (Bankr. E. Dist. Penna)
Financial Advisor to Official Committee of Unsecured Creditors

Cambridge Therapeutic Technologies LLC
Responsible Officer (Wind-down officer)

Private multi-site retail operator (outdoor and lifestyle clothing and accessories)
Restructuring Advisor

In re SureFunding, LLC (Bankr. D. Del.)
Chief Restructuring & Liquidating Officer

In re Superior Air Charter, LLC (Bankr. D. Del.)
Chief Restructuring Officer

In re LVI Intermediate Holdings, LLC (Bankr. D. Del)
Financial Advisor to Official Committee of Unsecured Creditors
In re Punch Bowl Social, Inc. et al (Bankr. D. Del)
Chief Restructuring Officer

TESTIMONY & EXPERT EXPERIENCE:

The Official Committee of Unsecured Creditors in *In re Jancor Companies, Inc.* on treatment of avoidable pre-petition transfers as collateral of secured lender for purposes of releases under Plan of Liquidation (Bankr D. Del)

Tavistock Ventures, Inc. in *In re Magic Brands, Inc.* on objection to reasonableness of bidding procedures in conjunction with sale of Debtor's assets (Bankr. D. Del)

Eugene I. Davis, as Litigation Trustee for the Quebecor World Litigation Trust v. Cellmark Paper for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's report)

Eugene I. Davis, as Litigation Trustee for the Quebecor World Litigation Trust v. Gould Paper Corporation for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's report)

Eugene I. Davis, as Litigation Trustee for the Quebecor World Litigation Trust v. Catalyst Paper (USA), Inc. for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's report)

Eugene I. Davis, as Litigation Trustee for the Quebecor World Litigation Trust v. Bind-Rite, Inc. for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's report)

Eugene I. Davis, as Litigation Trustee for the Quebecor World Litigation Trust v. R+L Trucking, Inc. for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report & Summary Judgment Brief)

David L. Buchbinder, as Litigation Trustee for Ascendia Brands v. Zotos International, Inc. for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's report)

Town & Country Bank, Hartford Insurance, Cathay Bank & Bank of Nevada as defendants in *Bradley D. Sharp, Chapter 11 Trustee v. Town & Country Bank, etc...* for recovery of alleged fraudulent transfers to lenders pursuant to 11 U.S.C. §§ 547 & 548 (Defendant's report)

Genmar *et al* v. North American Composites Corporation and Interplastic Corporation (7 cases) – for recovery of allegedly avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Defendant's report)

National Dry Cleaners, Inc. – Damages Expert in relation to Trustee's alleged failure to prosecute avoidance actions

In re RoomStore, Inc. v. Hangzhou Yi Bei Furniture LLC - for recovery of allegedly avoidance pre-petition transfers pursuant to 11 U.S.C § 547; Defendant's expert on ordinary course of business defenses (Defendant's report). Factual observations reported; expert opinion not rendered

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In re Eastern 1996D Limited Partnership *et al* – Expert on actions of Fiduciary and Responsible Party in objection to Motion to Appoint a Chapter 11 Trustee

AFA Investment Inc. *et al* v. Dale T. Smith Meat Packing Company - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

GMX Resources Creditor Trust v. Baker Hughes Oilfield Operations, Inc. - for recovery of avoidance pre-petition transfers pursuant to 11 U.S.C. § 547 (Rebuttal Report)

APP Winddown, LLC *et al* v. Garden City Group, LLC – for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Samson Settlement Trust v. Corpro, Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Samson Settlement Trust v. TETRA Technologies, Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. SYNEX Corporation, d/b/a New Age Electronics - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal memorandum)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Rosetta Marketing Group, LLC - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal memorandum)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Zimmerman Advertising LLC - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Skyline Furniture Mfg., Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Warrantech Consumer Product Services, Inc. d/b/a Warrantech CPS, Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

Myron N. Terlecky, Chapter 7 Trustee *In re* Healthspot, Inc. v. Cardinal Health, Inc. – for recovery of pre-petition transfers pursuant to 11 U.S.C. §§ 547 & 548 (Plaintiff's expert on solvency)

Weitz v. Button & Weitz v. Shields – for recovery of transfers pursuant to 11 U.S.C. § 548 (Defendants' expert on solvency and reasonably equivalent value)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Hooker Furniture Corporation f/d/b/a Home Meridian International, Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Plaintiff's rebuttal report)

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JBIF Interlude 2009 LTD (d/b/a eko) v. Quibi Holdings, LLC *et al* - defendant's expert relating to proper wind-down procedures for a Delaware LLC in dissolution under the Delaware LLC Act.

Maxus Liquidating Trust v. YPF S.A. *et al*. - defendants' expert relating to reasonably equivalent value of economic support in relation to alleged fraudulent conveyances

Parker School Uniforms, LLC v. Plexus Fund III, L.P. and Plexus Fund QP III, L.P. - defendants' expert on solvency relating to avoidance actions brought against lender/investor

ASPC Corp. v. Sturm Ruger & Co. - defendants' expert on defenses relating to avoidance actions brought by bankruptcy trustee

Gemelli Group, LLC v. Thomas Dahlen *et al* - defendants' expert on standards of professional conduct, breach of fiduciary duty claims, bankruptcy procedure and solvency relating to breach of fiduciary duty claim brought by lender against borrower management and advisor.

COURT & DEPOSITION TESTIMONY EXPERIENCE (Past Four Years):

Myron N. Terlecky, Chapter 7 Trustee *In re* Healthspot, Inc. v. Cardinal Health, Inc. – for recovery of pre-petition transfers pursuant to 11 U.S.C. §§ 547 & 548 (Plaintiff's expert on Solvency)

Official Committee of Unsecured Creditors of Gregg Appliances, Inc. v. Hooker Furniture Corporation f/d/b/a Home Meridian International, Inc. - for recovery of avoidable pre-petition transfers pursuant to 11 U.S.C. § 547 (Rebuttal report)

Gemelli Group, LLC v. Thomas Dahlen *et al* - defendants' expert on standards of professional conduct, breach of fiduciary duty claims, bankruptcy procedure and solvency relating to breach of fiduciary duty claim brought by lender against borrower management and advisor.

PROFESSIONAL:

Professional Certifications

CERTIFIED TURNAROUND PROFESSIONAL
ASSOCIATION OF CERTIFIED TURNAROUND PROFESSIONALS

NATIONALLY CERTIFIED PROFESSIONAL MEDIATOR
NATIONAL ASSOCIATION OF CERTIFIED MEDIATORS

Organizational Affiliations

NATIONAL CONFERENCE OF BANKRUPTCY JUDGES
2021 ANNUAL CONFERENCE EDUCATION COMMITTEE

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MEDIATORS BEYOND BORDERS INTERNATIONAL

UNITED NATIONS MULTILATERAL WORKING GROUP (MEDIATION)

WOMEN IN MEDIATION ACTION GROUP

DEMOCRACY, POLITICS & CONFLICT ENGAGEMENT WORKING GROUP

CLIMATE CHANGE POLICY PROJECT

CHILDREN & YOUTH ADR WORKING GROUP

TURNAROUND MANAGEMENT ASSOCIATION

AMERICAN BANKRUPTCY INSTITUTE

CHAIRMAN (2020-2021)

IMMEDIATE PAST PRESIDENT (2019-2020)

PRESIDENT (2018-2019)

PRESIDENT-ELECT (2017-2018)

VICE PRESIDENT – DEVELOPMENT (2014 - 2017)

MANAGEMENT COMMITTEE (2017 - 2021)

EXECUTIVE COMMITTEE (2014 - 2021)

MEMBER – BOARD OF DIRECTORS (2012 - 2021)

DEVELOPMENT COMMITTEE (2014 - 2017)

NOMINATING COMMITTEE (2012-2013, 2013-2014) (2 TERMS)

COMMUNICATIONS & INFORMATION TECHNOLOGY COMMITTEE (2012-2014)

COMMITTEE MEMBERSHIPS

BUSINESS REORGANIZATIONS COMMITTEE

BANKRUPTCY LITIGATION COMMITTEE

ETHICS COMMITTEE

Co-CHAIR (2009-2010)

EDUCATION DIRECTOR (2008-2009)

FINANCIAL ADVISORS & INVESTMENT BANKING COMMITTEE

Co-CHAIR (2010-2012)

PENSIONS COMMITTEE

TECH & TELECOMMUNICATIONS COMMITTEE

UNSECURED TRADE CREDITORS COMMITTEE

MEMBERSHIP COMMITTEE (2007-2008)

MEMBER, CREDITORS COMMITTEE PROTOCOLS TASK FORCE (2006)

MEMBER, COMMISSION ON CONSUMER BANKRUPTCY (2017-2018)

COMMISSIONER *EX-OFFICIO*

MEMBER, NATIONAL ETHICS TASK FORCE (2011 – 2013)

CHAIR, COMMITTEE SOLICITATION PROTOCOLS SUBCOMMITTEE

MEMBER, VETERANS & SERVICEMEMBERS' AFFAIRS TASK FORCE (2018-)

MEMBER, DIVERSITY TASK FORCE (2019 -)

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MEMBER, CIVILITY STANDARDS TASK FORCE (2014)
CO-CHAIR, VIRTUAL MENTORING PROGRAM COMMITTEE (2014-2016)
ADVISORY BOARD CO-CHAIR, MID-ATLANTIC BANKRUPTCY WORKSHOP (2009 - 2014)
MEMBER, VALCON CONFERENCE ADVISORY BOARD (2010 – 2017)
MEMBER, MID-ATLANTIC ENDOWMENT COMMITTEE (2009 - 2014)

CONTRIBUTING AUTHOR, ABI JOURNAL
CONTRIBUTING AUTHOR, “LAST IN LINE” COLUMN (DEALING WITH
ISSUES OF PERTINENCE TO UNSECURED CREDITORS) (2007 – 2016)

ASSOCIATION OF CERTIFIED TURNAROUND PROFESSIONALS
ASSOCIATION OF INSOLVENCY AND RESTRUCTURING ADVISORS
ASSOCIATION OF CERTIFIED FRAUD EXAMINERS (ASSOCIATE MEMBER)
INTERNATIONAL WOMEN’S INSOLVENCY & RESTRUCTURING CONFEDERATION

INTERNET ENGINEERING TASK FORCE – PAST MEMBER

INTERNET SOCIETAL TASK FORCE – PAST MEMBER

Elected Member: **Internet Societal Steering Group**
(Governing body of the ISTF)
November 2000 - 2002
Interim Liaison to the Internet Engineering Task Force

AUTHORSHIPS & PUBLISHED WORKS

Published Books:

The Chief Restructuring Officer’s Guide to Bankruptcy: Views from Leading Insolvency Professionals
with Ward (editor); Dooley, Fox, Hager, Kadish, Phillips, Rosen, Vine.
Copyright 2013, the American Bankruptcy Institute

Final Report of the ABI National Ethics Task Force – Report on Best Practices for Creditors’ Committee Solicitation
with Rapoport, N. & Lupica, L (Reporters)
Copyright 2013, the American Bankruptcy Institute

Best of ABI 2011: The Year in Business Bankruptcy
Copyright 2011, the American Bankruptcy Institute
Included Article: “**The Paradox of the Dueling Trustees – The Evolving Nature of SPM ‘Gifts’**”, first published in the *American Bankruptcy Institute Journal*, June 2011

Troubled Loan Workout Guide
Turnaround Management Association, 2009
Member, Editorial Board

Editor-In-Chief and Primary Author (with D. Eastlake and S. Hambridge)

RFC-3098, FYI-38 - “How to Advertise Responsibly Using E-Mail and Newsgroups” Copyright, 2000. The Internet Society

Author

“When Bad Things Happen to Good Customers”
with Howard Brod Brownstein
Business Credit Magazine, June 2003

“Turnaround Tactics”
Credit & Collections Week, October 2003
“So You’re on a Creditors Committee – Now What?”
Business Credit, May 2004

“Mental Models Trap People in ‘The Box’”
The Journal of Corporate Renewal, February 2005

“What Were They Thinking? Helpful Lessons from Hindsight”
ABF Journal, October 2006

“The Truth Behind *In Re Nobex*”
Daily Bankruptcy Review, April 2007

“Practical Pitfalls in Boilerplate Notice Provisions”
American Bankruptcy Institute,
Bankruptcy Litigation Committee Newsletter, Fall 2007

“Expedited Asset Sales under §363 of the Bankruptcy Code”
American Bankruptcy Institute Journal, February 2008

“Understanding and Estimating the Impact of Potential WARN Act Claims on Unsecured Creditors”
American Bankruptcy Institute Journal, February 2009 (with Serrano, H.)

“The Current State of SPM Gifts”
Daily Bankruptcy Review, July 7, 2010

“The Paradox of the Dueling Trustees – The Evolving Nature of SPM ‘Gifts’”
American Bankruptcy Institute Journal, June 2011

“How to Fix the U.S. Postal Service”

Forbes.com Turnaround Tactics Blog, December 8, 2011

“Top 5 Reasons Why EBITDA Is A Great Big Lie”

Forbes.com Turnaround Tactics Blog, December 27, 2011

“Saving American Symphony Orchestras in Four Movements”

Forbes.com Turnaround Tactics Blog, January 18, 2012

“Four Steps to Saving a Nonprofit from its own Board of Directors”

Forbes.com Turnaround Tactics Blog, May 1, 2012

“Saving a Nonprofit from its own Board”

Directors & Boards, Third Quarter 2012

“The Last Stand of Twinkie the Kid”

ABL Advisor, December 11, 2012

“If You’re A Nonprofit And You Want To Avoid Bankruptcy, Read This”

Philadelphia Business Journal, March 22, 2013

“WaMu’s Last Resort: A Recent Opinion from the Delaware Court and its Implications for Post-Confirmation Trust Litigation”

American Bankruptcy Institute Journal, May 2013

“An Only Slightly Less Modest Proposal”

ABL Advisor, August 20, 2013

“Tactics Before Theatrics: The Orchestration & Management of a Successful Out-of-Court Restructuring”

with Michael P. Richman, Esq.

Corporate Counsel Magazine, December 2013

“Chapter 7 Trustee Elections: Intricacies of §702 in Battle for Control of a Liquidating Estate”

with Lucian B. Murley, Esq.

American Bankruptcy Institute Journal, May 2014 (Cover Story)

“Introducing the ABI Mentoring Program”

with Patricia A. Redmond, Maria Ellena Chavez-Ruark, Timothy R. Bow

American Bankruptcy Institute Journal, February 2015

“How to Lessen the Big Costs of Small Business Bankruptcy”

ABI Journal, December 2016

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SPEAKING & MEDIA:

Speaker/Lecturer

Recent and Future Efforts in Responsible Use of the Network

SpamCon (conference)

May 2001

“When Bad Things Happen to Good Customers”

NACM Chicago/Midwest Chapter Credit Conference

October 2003

Turnaround and Workout Issues in Leasing -

Senior Executives Session

Equipment Leasing Association Credit & Collections Management Conference

June 2005

Faculty & Instructor

American Bankruptcy Institute Litigation Skills Symposium

May 2015

Guest Lecturer

Georgetown University Law Center

Financial Advisors in Chapter 11

In re Jevic Holding Corp.

April 2016

University of Wisconsin School of Law

The Student Loan Crisis and Bankruptcy Issues

April 4, 2018

Speaker/Panelist *(all panels approved for CPE & CLE credit)*

Email: The Good, The Bad & The Ugly

Internet Society - INET2002 Conference

June 2002

Federal Trade Commission Spam Forum

Witness and Panelist - Best Practices

May 2003

Keynote Panel: “CAN SPAM: Compliance Nightmare or Effective Spam-Fighting Tool?”

InboxEvent 2004

June 2004

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Managing a Troubled Portfolio with Turnaround Professionals & Other Resources
Equipment Leasing Association - Credit & Collections Management Conference, June 2005

Report from the Front: Creditor Committees after BAPCPA
American Bankruptcy Institute Mid-Atlantic Bankruptcy Seminar
August 2006

Complex Financial Restructuring Program
American Bankruptcy Institute
Faculty, Panelist on Financing Team
September 2006

The Roles of Creditors in Bankruptcy after BAPCPA
American Bankruptcy Institute - Winter Leadership Conference
December 2006

Practical Problems and Potential Pitfalls of Inadvertent Disclosure
American Bankruptcy Institute – Annual Spring Meeting
April 2007

Choose Me! Ethical Considerations in Committee Solicitations
American Bankruptcy Institute Mid-Atlantic Bankruptcy Seminar
August 2007

Making a Silk Purse from a Sow's Ear: Selling the Distressed Business
Ohio State Bar Association Conference
May 2008

Anything But Bankruptcy! - Revisited
American Bankruptcy Institute Mid-Atlantic Bankruptcy Seminar
August 2008

Dealing with the Distressed Company
Ohio State Bar Association – Corporate Counsel Institute
October 2008

Middle-Market Restructurings – What Happens When Nobody Comes to the Auction?
University of Texas Law School/ABI/AIRA - VALCON
February 2009

Creditors Stake Their Claim – Creditors as Counterpoint to Debtor Excess
American Bankruptcy Institute Mid-Atlantic Bankruptcy Seminar
August 2009

Ethics & Professional Responsibility, Including Duty of Confidentiality, Mobility of Counsel and E-discovery Issues

American Bankruptcy Institute 34th Annual Judge Alexander L. Paskay Seminar on Bankruptcy Law and Practice
March 2010

Ethics & Professional Responsibility

American Bankruptcy Institute Nuts & Bolts Course, Ethics Educational Session
April 2010

Financial Advisory Issues in Chapter 11: A Case Study

American Bankruptcy Institute Mid-Atlantic Bankruptcy Seminar
Practical Session
August 2010

The Perils & Pitfalls of Inadvertent Disclosure and E-Discovery

North Carolina Bar Association – Bankruptcy Section Conference
Ethics Educational Session
November 2010

Technology & Telecommunications: Is Social Networking Good Networking, and is the Power of the Internet Changing How to Chase Committee Engagements?

American Bankruptcy Institute 2011 Annual Spring Meeting
April 2011

Betting Big to Win Big: Retention and Compensation Issues in Chapter 11 Cases

American Bankruptcy Institute 19th Annual Southwest Bankruptcy Conference
September 2011

Recent Developments in Bankruptcy Ethics

National Conference of Bankruptcy Judges 2011 Annual Conference Commercial Law League of America
Honorable Frank W. Koger Memorial Education Program – “*Current Developments in Hot & Emerging Areas of Bankruptcy*”
October 2011

Ethical Challenges in Large, Mid-Market and Small Companies

Turnaround Management Association 2011 Annual Convention
Advanced Education Session
October 2011

Navigating Ethical Challenges in Contested Restructurings: When Stakeholders Employ Ethics as a Sword

Beard Group 18th Annual Distressed Investing Conference
November 2011

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Key Litigation Skills for Bankruptcy Lawyers

American Bankruptcy Institute Winter Leadership Conference
December 2011

Ethics and Professionalism Potpourri

American Bankruptcy Institute 36th Annual Judge Alexander L. Paskay Seminar on Bankruptcy Law and Practice
March 2012

Bankruptcy Code Section 546(e): Limited Safe Harbor, or Open Floodgates?

2012 William J. O’Neill Great Lakes Regional Bankruptcy Institute
May 2012

Advanced Creditor Committee Issues

86th National Conference of Bankruptcy Judges Annual Conference - *ABI Roundtables*
October 2012

Portfolio Management: Identification, Mitigation & Liquidation. Best Practices and Regulatory Expectations”

Risk Management Association, Philadelphia Chapter
March 2013

Presentation of the Final Report of the ABI National Ethics Standards Task Force

American Bankruptcy Institute 31st Annual Spring Meeting
April 2013

Bankruptcy Ethics – The Basics

Commercial Law League of America & FinancialPoise
August 2013

Hot Topics in Professional Ethics

Turnaround Management Association – Greater Philadelphia Chapter
October 2013

Recent Developments in Bankruptcy Ethics – The Ongoing Bankruptcy Prohibition on “Opacity”

National Conference of Bankruptcy Judges 2013 Annual Conference Commercial Law League of America Honorable Frank W. Koger Memorial Education Program – *“Current Developments in Hot & Emerging Areas of Bankruptcy”*
October 2013

Ethics In Action: the ABI National Ethics Task Force and its Next Steps

American College of Bankruptcy – Nancy C. Dreher Lecture on Bankruptcy Law and Practice
University of Minnesota Law School
November 8, 2013

Ethics Implications of Shareholder Activism and Pre-Petition Advice to Corporations

Beard Group 20th Annual Distressed Investing Conference
November 2013

The Chief Restructuring Officer's Guide to Bankruptcy

American Bankruptcy Institute 25th Annual Winter Leadership Conference
December 2013

Advanced Financial Issues in Reorganization – Wisdom from Our Turnaround Professionals

Colorado State Bar Association - National CLE Conference
January 2014

Creditor Committee Representation Issues: Standing to Pursue Estate Causes of Action, SPM Gifts, Claims Against D&Os and Lenders

Colorado State Bar Association - National CLE Conference
January 2014

60 Cases in 60 Minutes: A Summary of 2013's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2014

Red Flags: When Your Valuation Expert's Report Doesn't Seem Right, What Are Your Options?

University of Texas Law School / American Bankruptcy Institute / Association of Insolvency & Restructuring Advisors - VALCON
February 2014

A Brave New World? Exploring Chapter 9 Debt Relief for Detroit and Other Municipalities

The Beard Group Webinar Series
March 2014

Getting to Yes, Starting at No: The Benefits of Mediation

Turnaround Management Association 2014 Mid-Atlantic Regional Symposium
June 2014

"Gimme Some Credit": Navigating Today's Bankruptcy Credit Bidding Landscape

American Law Institute Continuing Legal Education
June 2014

Rule 2014 and Ethical Conflicts of Interest

American Bankruptcy Institute 19th Annual Southeast Bankruptcy Workshop
July 2014

Ethics in Bankruptcy

American Bankruptcy Institute Fourth Hawai'i Bankruptcy Workshop
August 2014

Ethics & Professionalism

American Bankruptcy Institute 22nd Annual Southwest Bankruptcy Conference
September 2014

Can the Trustee Bring That Lawsuit? – Exploring Standing and *In Pari Delicto* Issues in Chapter 11 Cases

88th National Conference of Bankruptcy Judges Annual Conference - *ABI Roundtables*
October 2014

In the Age of Facebook, What Every Bankruptcy Professional Needs to Know About How It Can Help Us Or Hurt Our Clients

Colorado State Bar Association – National CLE Conference
January 2015

Gazing Into The Crystal Ball: What Areas Should Bankruptcy Professionals Be Looking Toward for Business?

Colorado State Bar Association – National CLE Conference
January 2015

60 Cases in 60 Minutes: A Summary of 2014's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2015

Ethical Turnarounds – How Law Firms Can Use Turnaround Techniques to Enhance Value for Themselves and Their Clients

University of Texas Law School / American Bankruptcy Institute / Association of Insolvency & Restructuring Advisors - VALCON
February 2015

Chapter 11 Plan Confirmation Trial Skills

American Bankruptcy Institute 23rd Annual Bankruptcy Battleground West Conference
March 2015

Trustee Selection in Commercial Bankruptcy Cases: Who Wins the Battle to Control the Estate?

American Bankruptcy Institute 33rd Annual Spring Meeting
April 2015

Faculty Member – Expert Witnesses

American Bankruptcy Institute 14th Annual Litigation Skills Symposium
May 2015

Can the Trustee Bring That Lawsuit? *Redux* – Exploring Standing and *In Pari Delicto* Issues in Chapter 11 Cases

American Bankruptcy Institute 11th Annual Mid-Atlantic Bankruptcy Workshop
August 2015

How to Win (or Lose) Bankruptcy Auctions (Plenary Session)

89th Annual National Conference of Bankruptcy Judges
September 2015

Social Media – Ethics, Marketing, Prospecting for Assets or Business: The Future is Now

Colorado State Bar Association – National CLE Conference
January 2016

Director and Officer Liability, Financial Advisors Liability and the Business Judgment Rule

Colorado State Bar Association – National CLE Conference
January 2016

60 Cases in 60 Minutes: A Summary of 2015's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2016

Ethics & the Retention and Compensation of Professionals

University of Texas Law School / American Bankruptcy Institute / Association of Insolvency & Restructuring
Advisors - VALCON
March 2016

Bankruptcy Judge Squares: Supreme Court Edition

American Bankruptcy Institute 34th Annual Spring Meeting
April 2016

Where the Work Is

90th National Conference of Bankruptcy Judges Annual Conference - *ABI Roundtables*
October 2016

Social Media – The Benefits and Pitfalls: How to Use it Effectively In Your Practice

Colorado State Bar Association – National CLE Conference
January 2017

Duty to Disclose – Ratting on the Client: An Unpleasant Duty

Colorado State Bar Association – National CLE Conference
January 2017

60 Cases in 90 Minutes: A Summary of 2016's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2017

Alternatives to Bankruptcy: Receiverships, ABCs and Self-Managed Liquidations

American Bankruptcy Institute 22nd Annual Rocky Mountain Bankruptcy Conference
January 2017

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Plenary Session: Judicial Roundtables (Moderator)

American Bankruptcy Institute 35th Annual Spring Meeting
April 2017

Faculty Member

American Bankruptcy Institute 15th Litigation Skills Symposium
May 2017

ABITalks (TEDx Talk): The Fallacy of High Ideals – Lawyers’ Rule of Professional Conduct 7.3(a); From Whence It Came, the Quagmire It Creates, and Where It Leaves Us

American Bankruptcy Institute 13th Annual Mid-Atlantic Bankruptcy Workshop
August 2017

Ethics in Bankruptcy: Recent Court Decisions on Legal Ethics

American Bankruptcy Institute 25th Annual Southwest Bankruptcy Conference
September 2017

Overview of the Student Loan Crisis and Bankruptcy Options

Colorado State Bar Association – National CLE Conference
January 2018

What Is the Office of the United States Trustee Up To?

Colorado State Bar Association – National CLE Conference
January 2018

60 Cases in 90 Minutes: A Summary of 2017’s Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2018

Best Practices in Settlements After *In re Jevic*

American Bankruptcy Institute 36th Annual Spring Meeting
April 2018

Special Problems Presenting Financial Consultants as Expert Witness & Ethics Hot Topics

American Bankruptcy Institute / Association of Insolvency & Restructuring Advisors - VALCON
May 2018

ADR: Arbitration and Mediation in Chapter 11

American Bankruptcy Institute Midwest Regional Bankruptcy Seminar
August 2018

Cutting Edge Issues in Avoidance Actions

American Bankruptcy Institute Southwest Bankruptcy Conference
September 2018

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How to Get Paid Ethically

American Bankruptcy Institute Winter Leadership Conference
December 2018

The Small Business Debtor: Choosing the Right Chapter (11, 12 or 13)

Colorado State Bar Association – National CLE Conference
January 2019

Solicitation of Clients: Is Rule 7.3 Dead?

Colorado State Bar Association – National CLE Conference
January 2019

60 Cases in 90 Minutes: A Summary of 2018's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2019

Non-Debtors Need Help Too: Releases, Stays, Consolidation & Insider Fraudulent Transfers

Wisconsin State Bar Association, Bankruptcy, Insolvency & Creditors' Rights Section 14th Annual Conference
February 2019

Student Loans & Bankruptcy

Wisconsin State Bar Association, Bankruptcy, Insolvency & Creditors' Rights Section 14th Annual Conference
February 2019

Contracts & Plans

American Bankruptcy Institute 15th Annual Mid-Atlantic Bankruptcy Workshop
August 2019

Cutting Edge Issues in Avoidance Actions

93rd National Conference of Bankruptcy Judges Annual Conference - *ABI Roundtables*
October 2019

60 Cases in 90 Minutes: A Summary of 2019's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
January 2020

60 Cases in 90 Minutes: A Summary of 2020's Key Bankruptcy Decisions

Eastern District of Pennsylvania Bankruptcy Conference
March 2021

The First 100: The Biden Administration's Impact on Restructuring Professionals

Turnaround Management Association - TMA Town Hall
May 2021

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Unsecured Creditors Don't Need to be Losers

95th National Conference of Bankruptcy Judges Annual Conference - *ABI Roundtables*
October 2021

Media

Host: Business/Disrupted

Weekly one-hour live radio broadcast on VoiceAmerica Business channel and podcast
Website: <http://disrupted.business>

CNNfn

Subject Matter Expert (Economic Issues Related to Unsolicited Commercial E-mail (spam))
May 22, 2001

National Public Radio

“Radio Times” - WHYY-FM and nationwide

Discussion of Unsolicited Commercial Email (spam)
April 22, 2003

National Public Radio

“Talk of the Nation – Science Friday” - Nationwide

Discussion of and Debate on Unsolicited Commercial Email (spam)
May 9, 2003

Executive Leaders Radio

October 7, 2011

Philadelphia Business Journal

CEOFile

May 4, 2012

TheStreet.com (on-air interview, subject matter expert)

December 6, 2016

HONORS:

“People To Watch – Business Professionals Making Their Mark”

Turnarounds & Workouts – March 13, 2006

Global M&A Network Turnaround Atlas Awards – Leadership Achievement Honor - May, 2016

LawDragon 500 Global Restructuring Advisors & Consultants - 2020

Global Advisory Experts - Recommended Professional, 2021

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Corporate INTL Global Awards Winner - Company Restructuring, Delaware

COMMUNITY & BOARDS:

EMILY's List (Washington, DC)

Honorary Board (2019 -)
Board of Directors (2010 - 2018)
Chair, Finance Committee (2013 – 2017)
Branding Committee (2013)
Strategic Planning Committee (2012-2013)

Women's Campaign International (Philadelphia, PA)

Board of Directors (2010 - 2014)
Chair, Finance Committee (2013 - 2014)

The Chamber Orchestra of Philadelphia (Philadelphia, PA)

Board of Directors (2010 - 2014)
Vice President, Board of Directors (2012 - 2013)
Secretary (2013 - 2014)
Co-Chair: Strategic Planning Committee (2013)

Suiting Warriors Foundation (Wilmington, DE)

Member, Board of Directors (2013 - 2014)
Treasurer (2013 – 2014)

Human Rights Campaign (Washington, DC)

Member, Philadelphia Region Steering Committee (2010-2012)
Federal Club Council Co-Chair (2010-11)
Political Director (2012)
Member, Ally Leadership Council (2011-2012)

Frederic Remington Art Museum (Ogdensburg, NY)

International Advisory Board (2008 - 2014)

Menzfit of Philadelphia (Philadelphia, PA)

Advisory Board (2008-2010)
2009 Annual Gala, Co-Chair

Philadelphia Legal Foundation Homeless Veteran's Advocacy Project

Volunteer financial advisor to homeless veterans of the United States Armed Forces

Advisory Board Member of Sunset Studios

Advisor - Independent Securities Broker-Dealer through AdvisoryCloud

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Member - ConvrtX AdvisoryCloud

EDUCATION:

University of Phoenix

B. Sci. Business & Information Systems *With Honors*

Pepperdine University School of Law

Master of Legal Studies (*Concentration in Dispute Resolution*)

Master of Dispute Resolution
Straus Institute for Dispute Resolution

Turnaround Management Association

Forensic & Expert Witness Training Program

American Bankruptcy Institute

Litigation Skills Symposium