

RICHARD LEVY, JR.
Pryor Cashman LLP
410 Park Avenue
New York, New York 10022
Tel:(212) 421-4100 (general number)
(212) 326-0886 (direct dial)
Fax:(212) 326-0806 (general fax)
(212) 798-6393 (direct fax)
E-mail:rlevy@pryorcashman.com

File Last Updated: 10/30/08

<u>I. Profession</u>	<u>Accrediting Agency or Jurisdiction</u>	<u>Date of Admission</u>
Attorney	See below	See below

State bar admissions:

District of Columbia (1977)
New York (1980)

Federal bar admissions:

United States Court of Appeals for the District of Columbia Circuit (1978)
United States Court of Appeals for the Second Circuit (1987)
United States Court of Appeals for the Eleventh Circuit (1995)
United States District Court for the District of Columbia (1978)
United States District Court for the Southern District of New York (1980)
United States District Court for the Eastern District of New York (1980)
United States District Court for the Eastern District of Michigan (1996)
United States District Court for the Northern District of New York (1999)

<u>II. Professional Organization</u>	<u>Date of Admission</u>	<u>Active/Inactive</u>
<u>See below</u>	<u>See below</u>	<u>See below</u>

Association of the Bar of the City of New York (member since 1979). Active.
Committee on Bankruptcy and Corporate Reorganization (2001-2004).
Committee on Professional and Judicial Ethics (1998-2001).
Committee on Profession Responsibility (1995-1998)
(Subcommittee on Local Counsel and Pro Hac Vice Rules,
1996-1998).

American Bar Association (member since 1974). Active.
Section of Business Law (Business Bankruptcy Committee).
Section of Litigation (Bankruptcy and Insolvency Litigation Committee;
Pretrial Practice and Procedure Committee; Class Action Litigation
Committee).

New York State Bar Association (member since 2001). Active.
Section of Commercial and Federal Litigation.

American Bankruptcy Institute (member since 2000). Active.
Committee on Bankruptcy Litigation.
Committee on Business Reorganization.
Committee on Ethics.
Committee on Mass Torts.
Committee on Unsecured Trade Creditors.

District of Columbia Bar (member since 1977). Inactive.

III. General professional experience:

I have practiced law since 1977. From 1977 to 1983, I my practice concentrated on antitrust and trade regulation (including civil, criminal and administrative proceedings), securities litigation, and commercial and business litigation. From 1983 to 1987, I practiced in the areas of commercial and business litigation, securities class action defense litigation, bankruptcy litigation, and real estate litigation. Since 1987, I have concentrated in the areas of bankruptcy, reorganization and creditors' rights (including related litigation), and business and commercial law and litigation. From time to time my work has also included the negotiation, preparation and oversight of documentation for various commercial and corporate transactions.

IV. General pertinent experience:

I have experience in all phases of bankruptcy cases (principally under Chapter 11, with some Chapter 7 and Chapter 13 experience), contested matters, adversary proceedings, civil litigation and arbitration/mediation. My experience also includes transactional engagements relating to bankruptcy and insolvency matters, including the representation of potential purchasers of assets from bankruptcy estates (successful purchasers and unsuccessful bidders), preparation of non-consolidation and true sale opinions for financing transactions, and the provision of advice to clients on bankruptcy and insolvency issues generally and with respect to particular transactions. My bankruptcy clients have included: debtors and creditors (corporations, partnerships and individuals); bankruptcy trustees (Chapter 11 and Chapter 7); official representatives of future asbestos claims; post-confirmation liquidating trustees or responsible persons; official and unofficial committees of creditors, equity holders, and retirees; labor unions; and pension benefit and welfare benefit funds.

I have served as a court-appointed officer in the following bankruptcy matters:

Examiner, In re La Toya Jackson, Case No. 95-B-43145 (CB) (Bankr. S.D.N.Y.).

Official Representative of Future Claimants, In re Rutland Fire Clay, Inc., Case No. 99-11390 (Bankr. D. Vt.).

Official Representative of Future Claimants, In re M. H. Detrick Co., Case No. 98-B-01004 (Bankr. N.D. Ill).

Plaintiffs' Liaison Counsel designated by the Court, In re Braniff Insolvency Litigation (In re Braniff, Inc.), Master Adv. Proc. No. 92-911 (Bankr. M.D. Fla).

New York Sanctions Counsel designated by the Court, In re St. Johnsburry Trucking Co., Case No. 93-B-43146 (FGC) (Bankr. S.D.N.Y.).

In addition, I served in the following post-confirmation offices relating to bankruptcy matters, for which my appointment was disclosed to and approved by the supervising courts:

Creditor Trustee (1999-present) of the La Toya Jackson Creditors' Trust formed under the confirmed plan in In re La Toya Jackson, Case No. 95-B-43145 (CB) (Bankr. S.D.N.Y.).

Member (2003-2006) of the Trust Advisory Committee of the HLI Creditor Trust formed under the confirmed plan in In re Hayes-Lemmerz International, Inc., Case No. 01-11490 (MFW) (Bankr. D. Del.).

V. Mediation training:

Mediation Effectiveness and Training Institute, sponsored by NASD, Inc. and the United States Bankruptcy Court for the Southern District of New York, June 23-25, 1997 (24 credit hours).

VI. Pertinent bankruptcy training:

New York University School of Law, Seligsohn Bankruptcy Institute (August 1987; August 1988).

Continuing legal education programs sponsored by American Bankruptcy Institute, American Bar Association, National Conference of Bankruptcy Judges,

and/or Practicing Law Institute (various years, including as recently as September 2008).

VII. General pertinent business or legal experience:

B.A., Williams College, 1974 (cum laude, with honors in Political Economy).

J.D., Syracuse University, 1977 (magna cum laude). Order of the Coif; Notes & Comments Editor, Syracuse Law Review; research assistant to Prof. Thomas J. Maroney (federal jurisdiction; antitrust and trade regulation).

Adjunct Instructor (Legal Research and Writing Program), New York Law School, 1988-1990.

Deputy Village Attorney, Village of Larchmont, New York, 1997-present.

President, Society of Alumni of Williams College, and non-voting delegate to the Board of Trustees of Williams College (2006-2008). Past Vice-President of the Society of Alumni (2004-2006), and past member of the Executive Committee of the Society of Alumni (1999-2002).

Williams Club, Inc. (a New York not-for-profit corporation): President, 1995-1999; Vice President, 1991-1995; Secretary, 1984-1988; member of Board of Governors, 1983-2001.

Publications and Speaking:

Author, "Recent Developments in the Bankruptcy Treatment of Letters of Credit Under Commercial Real Estate Leases," 23 Prac. Real Est. Law. 27 (ABA, Mar. 2007).

Speaker, *Ethical Considerations Concerning Fraudulent Conveyances (A Lawyer's Oxymoron?)*, Bankruptcy CLE Seminar, New York University School of Continuing & Professional Studies, Center for Finance, Law & Taxation (Oct. 2003).

Chair and Moderator, "Collection and Enforcement of Money Judgments," New York State Bar Association Continuing Legal Education Program (White Plains, N.Y., Nov. 19-20, 2002).

Panelist, *Bankruptcy Considerations*, "Collection and Enforcement of Money Judgments," New York State Bar Association Continuing Legal Education Program (Tarrytown, N.Y., Nov. 28-29, 2000).

Principal Author: "Proposals to Modify New York Court Rules Concerning the Engagement of Local Counsel and the Pro Hac Vice Admission of Attorneys," Report of the Committee on Professional Responsibility of the Association of the Bar of the City of New York, 53 The Record 150 (1998).

Panelist, "Buying and Selling Assets in Bankruptcy," Price Waterhouse Corporate Finance Management Group Seminar (Spring 1992).

Author, "Trademark Franchising and Antitrust Law: The Two-Product Rule for Tying Arrangements," 27 Syracuse Law Review 953 (1976), reprinted in 9 Patent Law Review 525 (1977), and 69 Trademark Reporter 41 (1979) (with revisions).