

Keith N. Costa
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File Date: 9/23/2020

I. Profession	Accrediting Agency or Jurisdiction	Date of Admission
Attorney	State of New York	1985
	District of Columbia	2002
	U.S. District Court, SDNY	1985
	U.S. District Court, EDNY	1985
	U.S. District Court, NDNY	1988
	U.S. District Court, Connecticut	2001

II. Professional Organization	Date of Admission	Active/Inactive
American Bankruptcy Institute (ABI)	2001	Active
Turnaround Management Association (TMA)	2008	Active

III. General professional experience:

Expertise in all aspects of bankruptcy cases and out-of-court restructuring, commercial transactions, and civil litigation in a wide variety of industries since 1985. I am a Partner in the Finance & Restructuring Group of Faegre Drinker Biddle & Reath.

IV. General pertinent experience:

I served over 11 years with the U.S. Department of Justice as Assistant U.S. Trustee in the Southern District of New York and as Senior Trial Attorney in the District of Connecticut. In my private practice, I have extensive creditors' rights and commercial litigation experience in courts throughout the United States. My fiduciary-related roles have included serving as Counsel to Official Committees of Unsecured Creditors, serving as Special Counsel to the Board of Directors in a publicly traded Chapter 11 case, and being appointed by the U.S. Trustee serving as both as a Chapter 11 Trustee (e.g. Action Redi-Mix Corp.) and Chapter 11 Examiner (Finne Brothers Refuse Systems, Inc.).

V. Mediation training:

Advanced Negotiation & Mediation Skills Program sponsored by the U.S. Bankruptcy Court for the Southern and Eastern Districts of New York and the NASD in New York, NY on March 7-9, 2005 - 24 hours;

Basic Mediation Skills Workshop sponsored by Community Mediation, Inc. in New Haven, CT - June, 2000 - 32 hours;

Alternative Dispute Resolution Skills Seminar offered by U.S. Dept. of Justice at National Advocacy Center in Columbia, SC – September, 1993 – 8 hours.

VI. Pertinent bankruptcy training:

I have over 30 years of experience in bankruptcy and commercial litigation. My bankruptcy experience includes:

- a) Buyers of distressed property and bankruptcy asset sales (e.g. Section 363 sales);
- b) Prosecution and defense of avoidance actions (e.g. preferences and fraudulent conveyances) and all claims filed against the Debtors' estates (e.g. D&O liability insurance actions);
- c) Representing Official Unsecured Creditors' Committees with all necessary negotiation and litigation in connection with maximum recovery sought during the administration of the Debtors' estates;
- d) Advising both individual and corporate creditors, either secured or unsecured, with all necessary negotiation and litigation in connection with maximum recovery sought during the administration of the Debtors' estates;
- e) Representing Debtors-in-Possession in connection with obtaining post-petition financing, assuming or rejecting executor contracts, proof of claim litigation, and all aspects of the plan confirmation process;
- f) Advising both commercial landlords and tenants in bankruptcy matters;
- g) Participating in workouts and out-of-court restructuring efforts;
- h) Representing numerous parties in multiple SEC Receiverships;
- i) Serving in fiduciary-related roles as both Counsel to Official Committee of Unsecured Creditors and Special Counsel to Board of Directors in Chapter 11 cases, plus appointed several times as both Chapter 11 Trustee and Chapter 11 Examiner;
- j) Advising post-confirmation Liquidation Trustees;
- k) Serving as Mediator in the Madoff and Lehman Brothers cases;
- l) Serving as Arbitrator (major discovery dispute) in the Madoff bankruptcy case.

VII. General pertinent business or legal experience:

My legal experience, both in government and private practice, has focused upon debtors' and creditors' rights spanning a number of different industries and business activities throughout the country. For my complete professional biography, please see my law firm biography at <https://www.faegredrinker.com/en/professionals/c/costa-keith-n#!#tab-Overview> or go to my Linked In profile at <https://www.linkedin.com/in/keith-costa-3875859/>.

My fee structure, while normally based upon a standard hourly rate (\$850/hr. in the Madoff case), is also subject to adjustment based upon any alternative fee arrangement which makes sense under the circumstances of a particular case.