

Timothy T. Brock
Duane Morris, LLP
230 Park Avenue, 11th Floor
New York, New York 10169
Tel: (212) 404-8781
E-mail: ttbrock@duanemorris.com

Dated: 6/13/2020

<u>I. Professional</u>	<u>Accrediting Agency or Jurisdiction</u>	<u>Date of Admission</u>
Law	State of New York	1985
Law	U.S. District Court, N.Y. Southern District	1986
Law	U.S. District Court, N.Y. Eastern District	1986
Law	U.S. District Court, N.Y. Western District	1993
Law	U.S. District Court, N.Y. Northern District	1993
Law	U.S. District Court, Wisconsin Eastern District	1993
Law	U.S. Court of Appeals for the Second Circuit	2000

<u>II. Professional Organization</u>	<u>Date of Admission</u>	<u>Active/Inactive</u>
ABA	1990	Active
ABI	1997	Active
INSOL	1997	Active
INSOL FELLOW	2014	Active

III. General professional experience:

Since 1984, my law practice has been concentrated in creditors' rights, bankruptcy and restructuring.

IV. General pertinent experience:

I have been a frequent participant in complex mediations, and in 2012 was appointed to the Registry of Mediators for the Southern District of New York (<http://www.nysb.uscourts.gov/sites/default/files/mediators/tbrock.pdf>).

My most notable mediation experience was accumulated in the Lehman cases: By order of the United States Bankruptcy Court for the Southern District of New York, I was selected as a mediator in the Lehman bankruptcy cases and was assigned to handle dozens of mortgage put-back disputes.

My mediation training described in para. 3.2 below is a notable program in part because of the experiential learning that occurred through a number of simulated mediations undertaken during the 40.0 hour program. In that training, I performed as mediator in approximately six simulations.

Other experience with mediation participation includes:

- Mediation of a complex litigation involving allegedly wrongful early termination of ISDA-governed fx derivatives, where I represented a large commercial bank.
- Mediation of avoidance actions, in the Quebecor case, where I represented preference defendants.
- Two days of mediation in the bankruptcy court for St. Louis, Missouri where Judge Shermer was the mediator and I represented a defendant.
- Mediation of a plan formulation/confirmation dispute between the debtor and certain large, dominant creditors with numerous mediation sessions before Judge Gropper.
- Representation of a Chapter 7 trustee in a mediation of a dispute arising out of an alleged Ponzi scheme.
- Representation of an Official Creditor's Committee in a two-day mediation in Orlando, Florida where the committee was the plaintiff in an Adversary Proceeding brought against the United Auto Workers. A retired Federal District Court Judge from Chicago served as mediator.
- In a state-court divorce litigation, I personally was a litigant and participated in two days of mediation where a prominent New York City lawyer with relevant expertise served as mediator.

V. Mediation training:

Bankruptcy Mediation Training, ABI and St. John's University, School of Law, 40 Hours

VI. Pertinent bankruptcy training:

I am experienced in representing stakeholders in virtually all positions in the capital structure of insolvent enterprises and in providing broad transactional support to my firms' corporate and real estate practices. My clients have included commercial banks and other institutional lenders, committees of creditors and equity security holders, debtors-in-possession, high-yield mutual funds and other insolvency investors, foreign representatives (in cross-border cases under Chapter 15 of the Bankruptcy Code), indenture trustees, bankruptcy trustees, a rating agency and acquirers of distressed businesses and assets. My experience includes involvement in a number of notable and complex real estate, equipment leasing, retail and industrial bankruptcies, cross-border insolvencies and out-of-court workouts and restructurings.

VII. General pertinent business or legal experience:

From 1996 until 2002, after appointment by SDNY Bankruptcy Judge Stuart Bernstein, I was employed to help oversee the liquidation of certain assets of the then-largest hedge fund ever to become the subject of Chapter 11 bankruptcy proceedings—the Granite Funds—in the capacity of an independent member of the post-confirmation Litigation Advisory Board.

I have been a frequent speaker on insolvency-related topics, most recently as a guest lecturer at the Levin Graduate Institute of International Relations and Commerce (a joint NYC program of the SUNY Buffalo School of Management and Law School) as well as at Columbia University's Graduate School of Business/Executive MBA Program.

Within the areas of business and management, I have received a Master of Science degree from the Weatherhead School of Management, Case Western Reserve University. Pursuant to my acquiring this degree, I was invited to join Beta Gamma Sigma, the international honor society serving business programs.

Publications:

“Canada’s ‘Northern Lights’ Could Dispel Shadow of *Bear Stearns* over Chapter 15 Practice”; XXX No. 9 ABI Journal 34 (2011).

“How the Assault on Offshore Havens in *Bear Stearns* Undermines New Chapter 15: Part I and Part II,” XXVI No. 10 ABI Journal 34 (2007) and XXVII No. 1 ABI Journal 24 (2008), respectively.

“*Fairfield Sentry Ltd.* and the New Dawn for Cross-Border Recognition in Manhattan,” No. 6 ABI Committee News: International Committee Newsletter (Nov. 2010) (as co-author).

“Pre-Packaged Plans of Reorganization” (Practising Law Institute).

New York Law Journal 1995 Annual Survey of Bankruptcy Law (as contributor).