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<b>I. Professional</b>	<b>Accrediting Agency or Jurisdiction</b>	<b>Date of Admission</b>
Attorney	State Bar of New York(active)	October 1988
Attorney	State Bar of Arizona (retired in good standing 2020)	May 1981
Attorney	State Bar of Illinois (retired in good standing 2019)	October 1977

Also admitted in various federal courts including the Second, Third, Seventh, and Ninth Circuit U.S. Courts of Appeals, and the United States District Courts for the Southern and Eastern Districts of New York, the Northern District of Illinois and the District of Arizona

<b>II. Professional Organization</b>	<b>Date of Admission</b>	<b>Active/Inactive</b>
American Bankruptcy Institute (Member Committee on Mediation)	2000	Active
Association of the Bar of the City of New York Bankruptcy Committee	1989-91	Inactive
National Bankruptcy Conference (Associate Conferee)	1986-1993	Inactive
Best Lawyers in America	2005-2016	Inactive (Retired Dec. 2016 from active practice)

### **III. General Professional Experience**

I have represented debtors, creditors' committees, bondholder and bank groups in chapter 11 bankruptcy cases and out-of-court restructurings since 1977. I also am knowledgeable and have practiced and written extensively in many legal disciplines that intersect with bankruptcy including exchange offers and prepackaged plans, other securities issues as they affect restructurings and chapter 11 plans, trust indenture matters, environmental claims, insurance claims and related coverage issues, the Uniform Commercial Code and other related commercial matters. I have practiced corporate and commercial law and tried cases in the bankruptcy and district courts of New York, New Jersey, Illinois, Texas and Arizona among others and have argued or conducted appeals in the United States Courts of Appeals for the

Third, Seventh and Ninth Circuits. *Best Lawyers in America* has listed me as both a bankruptcy litigator and bankruptcy attorney from 2005-2016. My particular areas of special knowledge and experience include energy (oil and gas and electric utilities), insurance coverage matters, mass toxic tort cases and health care. I am fully familiar with all aspects of corporate and commercial bankruptcy cases and federal district and appellate procedures that arise in bankruptcy cases.

#### **IV. General Pertinent Experience:**

I acted as counsel to a participant in complex multi-party litigation arising out of the SemCrude chapter 11 case in Delaware involving nearly 100 crude oil producers and 15 downstream purchasers of that oil including my client. For a history of this dispute see generally, Epling, *Oil and Gas Rights in Bankruptcy: Beware of the May Pitfalls for Interest Holders and Creditors*, 74 Bus. Law. 127, 144-48 (2018).

I represented the debtor, Congoleum Corporation, in multiple plan mediation proceedings conducted by the Chief Judge of the Bankruptcy Court for the District of New Jersey. Congoleum confirmed its plan of reorganization on June 1, 2010.

#### **V. Mediation Training:**

I completed the 40 hour Mediation Certification Course conducted by the ABI and St. Johns University School of Law on December 12, 2016.

#### **VI. Pertinent Bankruptcy Training:**

See generally the list of representations in Part VII. below. In addition, I have taught and lectured extensively on bankruptcy, corporate restructuring, ethics and related topics and am the author of over 25 articles and papers on the subjects of bankruptcy, restructurings, litigation and other commercial topics. Selected articles include:

*Third Party Releases in Bankruptcy Cases: Should There be Statutory Reform?*, 75 Bus. Law. 1747 (2020)

*Oil and Gas Rights in Bankruptcy* (2018) (cited at Part IV above)

*Intersections of Bankruptcy Law and Insurance Coverage Litigation*, 21 Norton J. Bankr. L. & Prac., Art. 1 (2012)

*Securities Disclosure in Bankruptcy*, 39 Bus. Law. 855 (1984) with Terence W. Thompson

*Exchange Offers, Defaults and Insolvency: A Short Primer*, 8 Bankr. Dev. J. 15 (1991)

*Environmental Liens in Bankruptcy*, 44 Bus. Law. 85 (1988)

**VII. General Pertinent Business or Legal Experience:**

Legal representations have included Congoleum Corporation as debtor in possession in a multi-year asbestos chapter 11 case; counsel to the Special Committee of the Board of Ion Communications in its 2007 restructuring and recapitalization; counsel to XO Holdings, Inc. in its 2008 refinancing and subsequent going private transactions; counsel to Chevron Corporation in numerous chapter 11 cases including Enron Corporation, SemCrude and Edison Mission Energy; Viacao Aerea Rio-Grandense (Varig, S.A.) then the largest airline in Latin America in two international consensual debt and lease restructurings; Long Term Capital Management LLP, the general partner for Long Term Capital Portfolio, LP in its 1998 restructuring and recapitalization; and Allegheny General Hospital in its 2000 debt restructuring resulting in the formation of the West Penn Allegheny Health Care System.

**VIII. Education:**

University of Michigan Law School, J.D. 1976

Duke University, B.A. 1973, *magna cum laude*, *Phi Beta Kappa*

Law Clerk to the Hon. Charles L. Levin, Associate Justice, Michigan Supreme Court 1976-77