

Name : Richard L. Epling Date: June 2021
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I. Professional	Accrediting Agency or Jurisdiction	Date of Admission
Attorney	State Bar of New York (active)	October 1988
Attorney	State Bar of Arizona (retired 2021)	May 1981
Attorney	State Bar of Illinois (retired 2019)	October 1977

Also admitted in various federal courts including the Second Third, Seventh, and Ninth Circuit Courts of Appeal, 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.

II. Professional Organization	Date of Admission	Active/Inactive
American Bankruptcy Institute (Member Committee on Mediation)	2000	Active
Association of the Bar of the City of New York Bankruptcy Committee	1989-1993	Inactive
National Bankruptcy Conference (Associate Conferee)	1986-1993	Inactive
Best Lawyers in America	2005—2006	Inactive (retired from a 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 and mass tort claims, insurance claims and related coverage issues the Uniform Commercial h

IV. General Pertinent Experience:

I acted as counsel to participants 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 clients. For a history of this dispute see generally Epling, *Oil and Gas Rights in Bankruptcy: Beware the Many Pitfalls for Interest Holders and Creditors*, 74 Bus. Law 127, 144-48 (2018).

I represented Congoleum Corporation as debtor in multiple plan mediation proceedings conducted by the Chief Judge of the Bankruptcy Court for the District of New Jersey.

Congoleum successfully 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, 2006.

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 in 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; counsel to Viacao Aerea Rio-Grandense (Varig, S.A.) then the largest airline in Latin America in two international consensual debt restructurings; Long Term Capital Management LLP, then 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