

**RICHARD LEVY, JR.**  
**Pryor Cashman LLP**  
**7 Times Square**  
**New York, New York 10036**

**File Last Updated: \_\_\_\_\_**

**Tel: (212) 421-4100 (general number)**  
**(212) 326-0886 (direct dial)**  
**Fax: (212) 326-0806 (general fax)**  
**E-mail: rlevy@pryorcashman.com**

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

State bar admissions:

District of Columbia (1977) (current status: inactive)  
New York (1980) (current status: active)

Federal bar admissions (all active):

United States Supreme Court (2015)  
United States Court of Appeals for the District of Columbia Circuit (1978)  
United States Court of Appeals for the Second Circuit (1987; later renewed))  
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)

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

Association of Commercial Finance Attorneys (member since 2012). Active.  
Member, board of directors.

New York Intellectual Property Lawyers Association (member since 2018). Active.

### **III. General professional experience:**

I am a member of the firm of Pryor Cashman LLP, a mid-size firm headquartered in New York City with small branch offices in Los Angeles, California, and Miami, Florida. I am a senior member of the firm's Bankruptcy and Creditors' Rights Practice Group, and a member of the firm's Opinion Committee.

I have practiced law since 1977. From 1977 to 1983, 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, and related counseling. I have represented creditors (individuals and entities), debtors, Chapter 11 bankruptcy trustees and official committees, in all phases of cases and proceedings under the Bankruptcy Code. My work also includes the negotiation, preparation and oversight of documentation for various commercial and corporate transactions involving bankruptcy-related terms and conditions. I am responsible within my law firm for the preparation and issuance of bankruptcy-related closing opinions (e.g., non-consolidation opinions, true sale opinions, and authority to file bankruptcy opinions).

### **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; indenture trustees; 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. Johnsbury 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:**

Continuing legal education programs sponsored by American Bankruptcy Institute, American Bar Association, National Conference of Bankruptcy Judges, Association of Commercial Finance Lawyers and/or Practicing Law Institute.

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

**VII. General pertinent business or legal experience:**

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

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

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

Deputy Village Attorney, Village of Larchmont, New York, 1997-2018.

Society of Alumni of Williams College: President, and non-voting delegate to the Board of Trustees of Williams College, 2006-2008. Vice-President of the Society of Alumni, 2004-2006, 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, Board of Governors, 1983-2001.

Syracuse University Law Alumni Association: Member, Board of Directors, 2014-present; Executive Secretary (2017-2019); Co-Chair, Syracuse Law Honors Committee, 2015-present.

Speaking Engagements:

Alumni Panelist, Orientation Program for the Class of 2023, Syracuse University College of Law (Zoom Presentation, Aug. 2020).

Panelist, *Pandemic Impacts on Trademark Enforcement, Licensing Breaches/Force Majeure, and Brands in Bankruptcy*, N.Y. Intellectual Property Law Association (Zoom Presentation, July 2020).

Moderator, *Collapse of a Platform: Understanding Your Rights in the Aftermath [Issues Arising from the Failure of A Music Festival]*, MONDO Music & Tech Law Symposium (Brooklyn, N.Y., Oct. 2019)

Panelist, *Trademarks in Bankruptcy: The Supreme Court Finally Speaks*, N.Y. Intellectual Property Law Association, Hot Topics in Intellectual Property (New York, N.Y., July 2019).

Panelist, *Annual Bankruptcy Update*, Annual Continuing Legal Education Weekend Program of the Association of Commercial Finance Attorneys (various locations, Spring 2012-19).

Speaker, *How Victims Can Be Compensated: Bankruptcies, Receiverships and Forfeiture Actions*, Syracuse University College of Law 2010 Spring Lecture Series (New York, N.Y., Mar. 2010).

Alumni Panelist, Orientation Program for the Class of 2012, Syracuse University College of Law (Syracuse, N.Y., Aug. 2009).

Speaker, *Bankruptcy Touches Everything*, Two-Part Seminar on Bankruptcy Law for Partners and Counsel of Pryor Cashman LLP (New York, N.Y., Jan.-Feb. 2009).

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 (New York, N.Y., 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. 2002).

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

Panelist, *Buying and Selling Assets in Bankruptcy*, Price Waterhouse Corporate Finance Management Group Seminar (Orlando, Fla., Apr. 1992).

Publications:

“Supreme Court Preserves Decision Limiting Bankruptcy Trustees’ Powers To Avoid Securities-Related Transfers,” 29 WESTLAW J. – WHITE-COLLAR CRIME, No. 12 (Sept. 2015) (available at [www.pryorcashman.com](http://www.pryorcashman.com)).

“Second Circuit Decision In Madoff Case Limits Avoidance Of Securities-Related Transfers As Fraudulent Transfers”, Pryor Cashman Legal Update (Dec. 2014) (available at [www.pryorcashman.com](http://www.pryorcashman.com)).

“Fraudulent Transfer Defendants Beware: The Statutory Limitations and Reach-Back Periods May Be Broader Than You Think,” 8 AM. BANKR. INST. COMMERCIAL FRAUD TASK FORCE NEWSLETTER, No. 2 (Sept. 2011) (available at [www.pryorcashman.com](http://www.pryorcashman.com)).

“The Madoff Securities Liquidation – The First Six Months,” Pryor Cashman Legal Update (June 2009) (available at [www.pryorcashman.com](http://www.pryorcashman.com)).

“Considerations Relating to the Bernard Madoff Securities Fraud,” Pryor Cashman Legal Update (Jan. 2009) (available at [www.pryorcashman.com](http://www.pryorcashman.com)).

“Recent Developments in the Bankruptcy Treatment of Letters of Credit Under Commercial Real Estate Leases,” *in* THE PRACTICAL REAL ESTATE LAWYER’S MANUAL ON COMMERCIAL LEASING IN TROUBLED TIMES: FORMS, CHECKLISTS AND ADVICE (ALI-ABA 2009) (updating article previously published at 23 PRAC. REAL EST. LAW. 27 (ALI-ABA Mar. 2007)).

“Owners Can Minimize Tenant Default Risks,” Pryor Cashman Legal Update (July 2007).

“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 REC. 150 (1998) (principal author).

Note, “Trademark Franchising and Antitrust Law: The Two-Product Rule for Tying Arrangements,” 27 SYRACUSE L. REV. 953 (1976), *reprinted at* 9 PAT. L. REV. 525 (1977) *and* 69 TRADEMARK REP. 41 (1979) (with revisions).

Research assistant to principal authors: Thomas J. Maroney, “‘Averting The Flood’: Henry J. Friendly and the Jurisdiction of the Federal Courts – Part I,” 27 SYRACUSE L. REV. 953 (1976); Thomas J. Maroney & Daan Braveman, “‘Averting The Flood’: Henry J. Friendly, The Comity Doctrine and the Jurisdiction of the Federal Courts – Part II,” 31 SYRACUSE L. REV. 469 (1980).

Other Credentials:

Named by *New York Super Lawyers Magazine* as a Super Lawyer in Bankruptcy & Creditor/Debtor Rights (2012-19).

Rated AV<sup>®</sup> Preeminent<sup>™</sup> 5.0 out of 5.0 by Martindale Hubbell peer review for ethical standards and legal ability.