

# LANDIS RATH & COBB LLP

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## **Practice Areas: Corporate Bankruptcy and Restructuring, Bankruptcy Transactions, Bankruptcy Litigation**

With more than twenty-five years of experience in corporate bankruptcy and restructuring, Adam's practice includes first-chair and co-counsel representation of debtors, official and unofficial committees, secured lenders and other secured creditors, indenture trustees and bondholders, unsecured creditors, asset purchasers, officers and directors, equity holders, and liquidating trusts and plan administrators in a variety of national bankruptcy cases, primarily in the United States Bankruptcy Court for the District of Delaware.

Admitted to practice in Delaware, New York, and Massachusetts, Adam was an associate at Schulte Roth & Zabel LLP before moving to Delaware in 1995 to join Duane Morris & Heckscher LLP (now Duane Morris LLP), where he became a partner in January 2000. He was a shareholder at Klett Rooney Lieber & Schorling PC (now Buchanan Ingersoll & Rooney PC) from March 2000 to July 2003, when he founded Landis Rath & Cobb LLP with Dan Rath and Rick Cobb.

Adam is recognized in Chambers USA as a Leading Lawyer in Bankruptcy and has held a Band 1 rating since 2010. Honored as a Delaware Super Lawyer from 2007 to the present, Adam lectures and writes frequently on chapter 11 bankruptcy topics. Adam is a past Secretary, Vice Chair, and Chair of the Bankruptcy Section of the Delaware State Bar Association.

### **Education**

Northeastern University School of Law, J.D., 1991  
Bowdoin College, A.B., with honors, 1985

### **Admissions to Practice**

Delaware  
New York  
Massachusetts  
United States Court of Appeals for the Third Circuit

## **Memberships, Associations & Professional Activities**

American Bankruptcy Institute

Delaware State Bar Association

Delaware State Bar Association Bankruptcy Section, Vice Chair (Commercial Section), 2010

Delaware State Bar Association Bankruptcy Section, Secretary, 2009

Steering Committee Delaware Views from the Bench, Co-sponsored by American Bankruptcy Institute and Delaware State Bar Association Bankruptcy Section, Chair, 2011

Steering Committee Delaware Views from the Bench, Co-sponsored by American Bankruptcy Institute and Delaware State Bar Association Bankruptcy Section, Member, 2008

Coalition for Bankruptcy Fairness LLC, Founding Member & Manager, 2011

## **Awards**

Leading Lawyer in Bankruptcy/Restructuring – Delaware

Chambers USA – 2005-2018; Band 1 2010-2018.

Best Lawyers® 2010-2019.

## **Publications**

American Bankruptcy Institute Journal December 2016: *Be Careful What You Settle For: Rejection of an Executory Contract Can Do More than Just “Moot Out” Confirmation Objection*

American Bankruptcy Institute Journal September 2014: *Problems in the Code: Reimbursement of Fees and Expenses in Chapter 15 Cases*

American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop August 2012, Co-Authored: *Responses to Stern v. Marshall – Amending Standing Orders of Reference and Local Rules*

American Bankruptcy Institute 22<sup>nd</sup> Annual Winter Leadership Conference December 2010, *Selected Landlord Issues in Restaurant Reorganizations*

American Bankruptcy Institute Journal June 2009, Co-Authored with Douglas E. Deutsch: *Building Blocks: An Introduction to Local Bankruptcy Rules*

American Bankruptcy Institute 4<sup>th</sup> Annual Mid-Atlantic Bankruptcy Workshop July 2008: *Anything But Bankruptcy! – Revisited: Nonbankruptcy Alternatives*

American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop July 2006: *Report from the Front: Creditor Committees after Bankruptcy Abuse Prevention and Consumer Protection Act of 2005*

## **Panelist**

*Bankruptcy Track: Current Issues in Bankruptcy law*, Federal Bar Association for The District of Delaware 2016 Bench and Bar Conference

*Crossing the T's and Dotting the I's: Documenting the Settlement Agreement*, American Bankruptcy Institute 2014 Winter Leadership Conference

*Responses to Stern v. Marshall – Amending Standing Orders of Reference and Local Rules*, American Bankruptcy Institute 2012 Mid-Atlantic Bankruptcy Workshop

*Report from the Front: Creditor Committees after Bankruptcy Abuse Prevention and Consumer Protection Act of 2005*, American Bankruptcy Institute 2006 Mid-Atlantic Bankruptcy Workshop

## **Selected Representations**

### *Chapter 11 Debtors:*

AES Thames L.L.C.  
ALC Holding, Inc. (American Laser Centers)  
Bertucci's Holdings, Inc.  
Brookstone Holdings  
Blackstone Technology Group  
CLA Hold LLC, et al.  
CLARK Material Handling Company  
Cognistar Corporation  
HA-LO Industries, Inc.  
JMO Wind Down Inc. (Jumio, Inc.)  
LTAP US LLP  
M.P.C. Computers, LLC (Special Counsel)  
Orion Refining Corporation (Special Counsel)  
Pecus ARG Enterprises, Inc. (Black Angus Steakhouse)  
Peekay Boutiques, Inc.  
Plassein International Corp.  
Rouge Industries, Inc. (Special Counsel)  
SBSH Winddown, Inc. (Seastar Holdings, Inc.)  
Skybus Airlines, Inc.  
SW Liquidation, LLC (Saladworks)  
SweetskinZ Holdings, Inc.  
Tri-Valley Corporation

### *Official and Unofficial Committees:*

Arcadia Energy  
AstroPower, Inc.  
Cobra Industries  
Factory 2U Stores, Inc. (Special Counsel)  
Fansteel, Inc.  
Gibson Brands, Inc., et al.  
Global Power Equipment Group, Inc.  
Landauer Healthcare  
Long John Silver's  
Marvel Enterprises  
Maxxim Medical Group, Inc. (Special Counsel)  
Neoplan USA Corporation (Special Counsel)  
ResMAE Mortgage Corporation  
Riverstone Networks, Inc.  
Rotec Industries, Inc.  
Stone & Webster, Inc.  
Tuscany International Holdings  
THQ, Inc.  
Trend Holdings, Inc.  
Tribune Company

### *Major Creditors and Other Parties In Interest:*

Allied Systems Holdings, Inc. (Major Creditor)  
American Home Mortgage Holdings, Inc.  
(Warehouse Lender)  
Aurora Foods (Secured Lender)  
Burlington Industries (Secured Lender)  
Cable & Wireless (Secured Lender)  
CCS Medical, Inc. (Secured Lender)  
Digital Domain Media Group (Secured Creditor)  
Energy Future Holdings Corp. (Asset Purchaser)  
ESML Holdings, Inc., et al.  
Exodus Communications (Major Creditor)  
Gigabeam Corporation (Secured Creditor)  
GiViDi Inc. (Secured Lender)  
Halt Medical, Inc. (Asset Purchaser)  
Isologen, Inc. (Secured Creditor)  
Just For Feet (Secured Lender)  
Louise's (Chapter 11 Trustee)  
LG Phillips Display USA, Inc. (Secured Lender)  
Maxus Energy Corp. (Equity Owner/Creditor)  
Mervyn's Holdings, LLC, et al. (Major Creditor)  
Met-Coil, Inc. (Largest Unsecured Creditor)  
Milagro Holdings, LLC et al. (Secured Creditor)  
Montgomery Ward (Asset Purchaser)  
NationsRent (Equipment Lessor)  
New Century Financial (Warehouse Lender)  
NewPage Corporation (Major Creditor)  
Paragon Offshore PLC (Secured Creditor)  
Pillowtex (Major Vendor)  
RadioShack Corporation (Secured Creditor)  
Syncardia, Inc. (Asset Purchaser)  
Takata Corporation, et al. (Chapter 15)  
TK Holdings Inc., et al. (Takata – Chapter 11)  
Thaxton Group, Inc. (Largest Unsecured Creditor)  
Trico Steel (Secured Lender)  
W.P. Steele (Secured Creditor)  
Wash Depot (Secured Lender)  
Washington Mutual (Major Creditor/Litigation  
Party)  
Willcox & Gibbs (Secured Lender)  
Worldwide Direct (Indenture Trustee)