

# LANDIS RATH & COBB LLP

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

Kim concentrates her practice in the areas of Corporate Bankruptcy and Restructuring and Bankruptcy Litigation. She has worked with the Landis Rath & Cobb team representing chapter 11 debtors, official and unofficial committees, financial institutions, secured lenders and other secured creditors, indenture trustees and bondholders, asset purchasers, liquidation trusts and other significant creditors, chapter 15 foreign representatives, and other parties in interest in a variety of national bankruptcy cases. Kim represents clients in a wide range of industries, including retail, food and beverage, oil and gas, manufacturing, and cryptocurrency.

Kim currently serves the International Women's Insolvency and Restructuring Confederation (IWIRC) internationally and regionally as the Co-Director of US Programming and the Chair of IWIRC at the Shore. Kim previously served as the Vice Chair as an at large international board member, the Vice Director of Fall Programs and the Vice Chair of IWIRC at the Shore. At the State level, Kim served as the ex-officio chair, chair, vice chair, and social chair of the IWIRC Delaware Network and the Vice Director of Fall Programming. She also is a member of the Delaware State Bar Association, the American Bankruptcy Institute, and the Delaware Bankruptcy American Inn of Court.

Kim was honored as an emerging leader by the American Bankruptcy Institute (ABI) as part of its 40 Under 40 initiative in 2019. ABI is the largest multi-disciplinary, nonpartisan organization dedicated to research and education on matters related to insolvency and restructuring with over 12,000 members. In connection with the 40 Under 40 initiative, ABI annually identifies 40 top industry professionals under the age of 40 who have demonstrated a commitment to the highest standards of achievement at work and in their communities.

Kim was named one of five finalists for the International Women's Insolvency and Restructuring Confederation (IWIRC) 2017, "Rising Star" award. IWIRC is the premier international, networking and professional growth organization for women in the restructuring and insolvency industries. The IWIRC Rising Star finalist awards are bestowed upon IWIRC members with eight (8) or less years of experience in



the restructuring industry who have made considerable contributions to the profession at the local, national and international levels.

Kim was selected as one of only 40 bankruptcy practitioners to participate in the National Conference of Bankruptcy Judges (NCBJ) fifth annual Next Generation Program. Each year, the NCBJ selects “a small group of up-and-coming bankruptcy attorneys” to participate in the Next Generation Program, “who show the potential to distinguish themselves in future years as highly respected members of the bankruptcy bar.”

Before joining Landis Rath & Cobb, Kim clerked in the Superior Court for the State of Delaware for The Honorable Mary M. Johnston and clerked at the Office of Disciplinary Counsel of the Supreme Court of Delaware. She earned her J.D. in 2008 from Widener University Delaware Law School and her Bachelor of Arts in government & politics with a minor in accounting from Widener University in 2005.

### **Education**

Widener University School of Law, J.D., cum laude, 2008

Widener University, B.A., Government & Politics, with minor in Accounting, summa cum laude, 2005

### **Admission to Practice**

Delaware

### **Memberships & Associations**

American Bankruptcy Institute

International Women’s Insolvency and Restructuring Confederation (“IWIRC”)

- Co-Director of US Programming, current
- Vice Director of Fall Programs, 2022
- Board of Directors, 2021 – current

The IWIRC Delaware Network

- Ex-Officio Chair, 2019 - 2020
- Chair, 2017 - 2018
- Vice Chair, 2015 – 2016
- Social Chair, 2013 – 2014

Bankruptcy Section of the Delaware State Bar Association

Delaware Bankruptcy American Inn of Court

### **Awards**

Best Lawyers: Ones to Watch (Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, Delaware), 2023

Best Lawyers: Ones to Watch (Women in the Law, Delaware) 2022

Best Lawyers: Ones to Watch (Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, Delaware), 2021

American Bankruptcy Institute, 40 Under 40 Award, 2019

Super Lawyers, Rising Star, 2018

International Women's Insolvency and Restructuring Confederation, Rising Star Award Semi-Finalist, 2017

## **Recent Publications and Presentations**

Panel Member on Not Your Same Old Crypto Rigmarole; IWIRC Fall Conference, October 2023

Panel Member on The Aftermath of the Crypto Winter; ABI Mid-Atlantic Bankruptcy Workshop, August 2023

Panel Member on Fallout From the Wild Wild West; ABI Central States, June 2023

Moderator on Bitcoin, Cryptocurrency and Blockchain Technology – An Introduction to a New Asset Class; American Bar Association, July 2022

Cyber Security in Delaware – What's a Lawyer Gotta Do?; Delaware Business Court Insider, September 2021

Panel Member on Current Issues Facing Creditors' Committees; American Bankruptcy Institute Annual Spring Meeting, 2021

Moderator on When Mass Torts and Bankruptcy Plans Collide; IWIRC at the Shore Conference, 2020

Panel Member on Bankruptcy Trends: Contracts and Plans; American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop, 2019

Moderator on Breaking Down the Dip Budget; American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop, 2018

Moderator on Please, Please Release Me! A Discussion of Third Party Releases in the United States & Canada – IWIRC Annual Spring Conference, 2018

Quick Evidence Handbook, second edition, (co-author) American Bankruptcy Institute, April 2018.

Bankruptcy Court Upholds the Sanctity of the Final Order; Delaware Business Court Insider, April 2017

National Conference of Bankruptcy Judges' (NCBJ) Program Connects and Educates the Next Generation of Bankruptcy Attorneys; American Bar Association's Law Practice Today, December 2015

## **Selected Representations**

*Chapter 11 Debtors:*

Bertucci's Holdings, Inc.

Brookstone Companies

EdgeMarc Energy Holdings, LLC  
FTX Trading Ltd.  
Houlihan's Restaurants, Inc.  
JMO Wind Down, Inc. (Jumio, Inc.)  
LTAP US, LLLP  
SW Liquidation, LLC (Saladworks)  
Shelbourne North Water Street, L.P.  
Things Remembered, Inc.  
Tri-Valley Corporation

*Chapter 15 Debtors:*

Saad Investments Finance Company (No. 5)

*Chapter 11 Committees:*

Fairfield Residential  
PJ Finance  
Spansion  
Tribune Companies

*Asset Purchasers:*

AWI Delaware, Inc.  
Central Grocers, Inc.  
Fitness Resource Inc.  
The Penn Traffic Company

*Chapter 11 Trustees, Disbursing Agents, & Plan Administrators:*

CEI Liquidation Estate  
Exide Holdings, Inc.  
Gulf Coast Health Care LLC  
Liberty State  
PJ Finance

*Significant Creditors and Other Parties In Interest:*

AWI Delaware, Inc., et al. (Secured Lender and Asset Purchaser)  
Central Grocers, Inc., et al. (Asset Purchaser)  
Cred Inc. (Major Creditor)  
ESML Holdings, Inc., et al. (Secured Creditors)  
Fitness Resource Inc. (Asset Purchaser)  
Fisker Automotive  
iBAHN Holdings (Major Creditor)  
Liberty State Benefits of Delaware Inc., et al. (Special Litigation Counsel)  
Marsh Supermarkets Holding, LLC, et al. (Supplier)

Paragon Offshore PLC, et al. (Secured Creditor)  
RGN-Group Holdings, LLC (Major Creditor and Landlord)  
Starbucks Coffee Company (Supplier and Major Creditor)  
Takata Corporation, et al. (Chapter 15) (Major Creditor)  
TK Holdings Inc., et al. (Takata - Chapter 11)  
Tops Holding II Corporation (Supplier)  
Trident Microsystems (Supplier and Major Creditor)