ABOUT THE BANKRUPTCY, RESTRUCTURING, AND INSOLVENCY LITIGATION GROUP

Efficient Delivery of Results in Sophisticated Matters

Archer’s Bankruptcy, Restructuring, and Insolvency Litigation Group provides sophisticated counsel to domestic and foreign clients in all types of insolvency and litigation matters. Chambers USA ranks Archer’s Bankruptcy, Restructuring, and Insolvency Litigation Group as one of the best in the region, representing an impressive roster of clients, noting that “our sources underline the group as being a tightly run unit that is easy to deal with. It has “solid experience in representing trustees, creditors’ committees and debtors.” The Group has been noted as being “very cost-effective” for clients who want high level representation in complex matters. The Group has recently been involved in some of the largest, high profile bankruptcy matters such as Lehman Bros., Trump, and Kodak, but is strongly suited to efficiently handle middle-market cases for debtors, trustees, committees, fiduciaries, creditors, investors, and other constituencies striving for that delicate balance between result and cost.

Chambers USA praises Group Chairman Stephen M. Packman for his “unique, reassuringly confident perspectives that are the result of years of experience” and as “a results-driven tactician and outstanding strategist.” Mr. Packman is an inaugural Fellow of INSOL, the international association of over 10,000 world-wide restructuring professionals. He has represented parties in bankruptcy and litigation proceedings throughout the USA and abroad. Mr. Packman is also the co-chair of Archer’s international law group, having considerable experience in cross-border insolvency, business and litigation matters. Mr. Packman complies with the standards and qualifications of a Business Bankruptcy Specialist set forth in the ABC Program. Group Vice-Chair, David Carickoff is resident in Archer’s Wilmington, Delaware office and has extensive experience representing creditor committees, debtors and other bankruptcy participants in some of the largest Chapter 11 cases in Delaware, perhaps the busiest bankruptcy venue in the country. David is one of a select few Delaware panel Chapter 7 Trustees appointed by the Office of the United States Trustee. Selecting the Right Team The Bankruptcy, Restructuring, and Insolvency Litigation Group has assembled attorneys with years of experience in handling restructuring and insolvency matters. This enables Group members to handle the work from start to finish. Group members have experience in all facets of the practice including out of court workouts, forbearance agreements, arrangements, assignments for creditors, receiverships, dissolutions, bankruptcy planning and preparation, pre-packs, motion practice, adversary proceedings, plan formulation, pre and post-confirmation matters, bankruptcy sales, trials, appeals, mediation, arbitration, foreclosures, tax liens, cross-border issues, model law and UNCITRAL, Chapters 7, 9, 11 and 15, PACA claims, acquisitions, DIP lending, tax disputes, transfer pricing, leasing, claims trading, creditors’ rights, fiduciary claims and litigation, avoidance actions, preference claims, insiders, valuations, collections, guaranty and surety issues, insurance claims and recoveries, tort claimants, claims representatives, trustees, plan trustees, plan agents, successors and other fiduciaries. The Group often works closely with other Archer attorneys when matters arise involving specialized issues. This interdisciplinary approach ensures effective staffing of matters for clients. Speed and efficiency are paramount in restructuring and insolvency litigation, and the Bankruptcy, Restructuring, and Insolvency Litigation Group is well-versed in all aspects of e-Discovery. The Group is fully integrated with the Archer Discovery Strategies practice. This means that document-intensive cases are handled with state of the art technology and procedures to streamline bankruptcy and plan preparation, claims resolution, bankruptcy and adversary proceeding discovery, and contested matters as well as trials. Archer has a team of e-Discovery professionals to assist as needed in the process. A Forward Thinking Mindset for a Global Economy Clients today want creative, cost-effective solutions to their global issues. Having the ability to understand and think strategically in both established and
emerging markets translates to more innovative solutions, and overall more cost-effective representation for the client. Engagements can be structured to suit both the firm’s and client’s expectations, including in appropriate situations alternative fee arrangements. Archer’s Bankruptcy, Restructuring, and Insolvency Litigation Group has substantial experience in handling international disputes and cross-border insolvency matters, including the European Union (EU) Regulations on Insolvency Proceedings and the United Nations Commission on International Trade Law (UNCITRAL) Model Law on Cross-Border Insolvency. The Group has represented clients in proceedings in or associated with Europe, Asia, North and South America, including in bankruptcy matters pending both domestically and abroad. The Group has been credited with filing what is believed to be the first Chapter 15 bankruptcy case relating to a foreign insolvency proceeding pending by a mainland debtor in the People’s Republic of China. The Group also recently represented a foreign Chapter 15 debtor based in Hong Kong with holdings in the U.S. and represents its domestic affiliate in related Chapter 11 proceedings. Consult with us We welcome your inquiries and would be happy to consult with you by phone or in person at your convenience. Please contact Group Chair Stephen M. Packman at (215) 246-3147 or spackman@archerlaw.com.

REPRESENTATIVE EXPERIENCE

Recent Representative Debtor Engagements:

- **Trump Entertainment** – special counsel to the Debtors in the Trump Entertainment Resorts, Inc. bankruptcy proceedings pending in Delaware.
- **Zhejiang Topoint Photovoltaic Co., Ltd.** – counsel to mainland China debtors, Zhejiang Topoint Photovoltaic Company, Ltd., *et al.*, in chapter 15 contested proceedings in bankruptcy, including representing the debtors in multi-million dollar litigation proceedings in the chapter 15 case.
- **De Coro Limited and DeCoro USA, Ltd.** – counsel to Hong Kong-based debtor, De Coro Ltd., and its U.S. subsidiary, Decoro USA, Ltd., in chapter 15 and chapter 11 proceedings in the Middle District of North Carolina.
- **The Hyman Companies, Inc.** – counsel to Debtor in retail Chapter 11 proceeding involving many contested issues.
- **Philadelphia POPS** – counsel to debtor Encore Series, Inc. (‘t/a the Philly POPS), in chapter 11 proceedings including obtaining confirmation of reorganizing plan, negotiating settlement and separation from co-debtor, The Philadelphia Orchestra, and negotiating a settlement with the longtime former maestro, Peter Nero.
- **Wind City Penna Oil & Gas, LLC** – counsel to Debtor oil and gas exploration and development company in its chapter 11 case that provided more than a 40% return to unsecured creditors pursuant to a confirmed plan.
- **Nova Biosource Fuels** – member of the Group served as counsel to biodiesel refining company with multiple facilities in its chapter 11 case.

Recent Representative Trustee/Fiduciary Engagements:

- **Universal Marketing, Inc.** – counsel to the elected trustee in substantively consolidated Universal Marketing, Inc., *et al.* chapter 7 bankruptcy proceedings in Pennsylvania involving more than 20 related debtors. Prosecuted and settled nearly 200 avoidance actions, and currently prosecuting litigation against former lender involving claims of breach of contract, bad faith, substantive consolidation, fraudulent conveyances, and setoff.
- **CMT America Corp.** – counsel to chapter 7 trustee administering estates of debtors that operated as a clothing retailer in the United Stated under the label of Urban Behavior, catering to fashion-driven teenagers and young adults.
- **NWL Holdings, Inc.** – counsel to chapter 7 trustee administering estates of debtors that operated a chain of 45 general merchandise close-out stores located across 9 states in the Northeast and Mid-Atlantic regions of the United States under the name “National Wholesale Liquidators.”
- **Consolidated Bedding, Inc.** – counsel to chapter 7 trustee administering estates of debtors that manufactured and sold mattresses and bedding products under the trade name of Spring Air and other trade names.
- **Fluid Routing Solutions Intermediate Holding Corp.** – counsel to chapter 7 trustee administering estates of debtors that manufactured and sold fuel management systems, fluid handling systems, and hose extrusion products in the
automotive industry.

**OES Brokerage Services, LLC** – counsel to chapter 7 trustee administering estate of debtor that operated as a broker registered with FINRA – the Financial Industry Regulatory Authority.

**Delmarva Rural Ministries, Inc.** – counsel to chapter 7 trustee administering estates of debtors that owned, leased and operated 150 apartment units in four separate apartment complexes leased to low income families and farm laborers. Chapter 7 trustee operated the apartment units until he was able to sell them.

**NEC Holdings, Corp.** – counsel to chapter 7 trustee administering estates of debtors that were the largest privately-held envelope manufacturing company in the United States with facilities and customers located throughout the nation.

**Fire Sprinkler Group, Inc.** – counsel to chapter 7 trustee administering estates of debtors that were designers and installers of fire sprinkler and fire protection systems with operations in various locations throughout the United States.

**Ritz Camera & Image, L.L.C.** – counsel to chapter 7 trustee administering estates of debtors that operated approximately 256 photo stores in over 30 states and operated an e-commerce network of interactive websites that provided online shoppers with a wide selection of branded products.

**Hercules Chemical Company, Inc.** – co-counsel to the Legal Representative for Future Asbestos Personal Injury Claimants in chapter 11 case.

**Princeton Paper Co.** – counsel to chapter 7 Trustee in highly contested breach of duty and fraud litigation.

**Representative Committee Engagements:**

**Collavino Construction Company, Inc. and Ltd.** – counsel to the creditors committee in Chapter 11 proceedings of debtors principally involved in the construction of 1 World Trade Center.

**Autobacs Strauss, Inc.** – co-counsel to creditors committee of owner and operator of auto parts and service superstores.

**Philip Seltzer** – counsel to the committee of a real estate developer with holdings throughout the world.

**Solyndra** – member of the Group served as counsel to the creditors’ committee of the highly publicized photovoltaic solar panel developer and manufacturer.

**Nobex Corporation** – member of the Group served as counsel to creditors’ committee of development-stage biopharmaceuticals company.

**Mortgage Lenders Network** – member of the group served as counsel to creditors’ committee of subprime mortgage loan originator and loan servicer.

**Recent Representative Litigation and Other Engagements:**

Retained in bankruptcy proceedings of Trump Entertainment Resorts as special counsel in connection with, among other legal matters, tax-related litigation on behalf of the debtors.

Counsel to trustee in Princeton Paper Products, Inc. chapter 7 bankruptcy proceedings in New Jersey. Prosecuting litigation against insiders involving claims of alter ego, fraud, and fraudulent conveyances.

Counsel to multinational company defendant in litigation in Pennsylvania federal court involving breach of contract, fraud, and related claims.

Counsel to multinational debtor company and creditors in complex litigation in Pennsylvania with multi-million dollar claims against former officers and directors of the companies, and involving direct and derivative claims.

Counsel to largest creditor in PACA trust proceeding venued in Pennsylvania federal court, involving both prosecution and defense of significant claims asserted by various creditor groups.

Counsel to large dairy company in connection with acquisition of other dairies in insolvency proceedings.

Counsel to large waste management company in bankruptcy matters.

Counsel to large automotive leasing company in a variety of insolvency and bankruptcy matters.
Counsel to lenders in insolvency and bankruptcy matters.
Counsel to insurance companies in insolvency and bankruptcy matters.
Counsel to venture capital and other funds and investors in insolvency and bankruptcy matters.
Counsel to buyers of assets in and out of bankruptcy.