



Partner

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## Wilmington, DE

### Practice Areas

Banking Law & Finance

Bankruptcy, Restructuring, and Insolvency

Litigation

### Admitted

Colorado

Delaware

U.S. District Court for the District of Colorado

U.S. District Court for the District of Delaware

### Education

George Washington University Law School,

J.D., with honors

University of Delaware, B.A.

Alan Root concentrates his practice in the areas of Bankruptcy, Restructuring, Insolvency, and Finance. He has substantial experience representing both large and small clients in a variety of industries, including energy, technology, telecommunications, retail, gaming, finance, health care, and shipping.

Alan represents debtors, creditors' committees, secured creditors, and individual unsecured creditors in Chapter 11 proceedings. He also regularly represents Chapter 7 trustees, Chapter 11 trustees, and liquidating trustees. In addition, he prosecutes and defends against avoidance and fraudulent transfer actions brought in large Chapter 11 cases.

In addition to his experience in domestic restructuring, Alan has been involved in a number of international insolvencies, representing foreign companies in connection with their filings under Chapter 15 of the Bankruptcy Code.

While in law school, he served as a judicial intern for the Honorable R. Barclay Surrick of the Federal District Court, Eastern District Pennsylvania.

Alan is a member of the Delaware Bankruptcy Inn of Court. In addition, he represents pro bono clients through Delaware Volunteer Legal Services and is active in his local community.

### Representative Experience

#### Debtor and Chapter 11 trustee engagements:

- *Wave Systems Corp.* - counsel to Chapter 11 Trustee of data and information security company in connection with its chapter 11 case.
- *Wind City Penna Oil & Gas, LLC* — counsel to oil and gas exploration and development company in its chapter 11 case.
- *Woodcrest Country Club* - counsel to Chapter 11 Trustee of country club and golf course in connection with its chapter 11 case
- *Midway Games* — counsel to developer and publisher of video games in the interactive entertainment software industry in its chapter 11 case.

#### Creditor Committee engagements:

- *Fansteel, Inc.* - counsel to the creditors' committee of a producer of aluminum and magnesium sand castings for the aerospace and defense industries.
- *Solyndra* — counsel to the creditors' committee of the highly publicized photovoltaic solar panel developer and manufacturer.

- *North Texas Bancshares* - co-counsel to creditors' committee in bank holding company Chapter 11
- *Centaur, LLC* - counsel to the creditors' committee of horseracing, off-track betting and casino operators.

Lender engagements:

- Co-counsel to secured lenders in connection with chapter 11 cases of developer and manufacturer explosive trace detection products.
- Counsel to Agent on a \$60 million secured facility in connection with chapter 11 cases of retail seller of brand name consumer products
- Co-counsel to second lien lenders in connection with chapter 11 cases of global marine contracting business involved in the offshore oil and gas industry.
- Counsel to Agent and Bank Group in connection with the chapter 11 cases of the largest US copper producer

Other engagements:

- *Fiber Tower* -counsel to a national wireless carrier in acquisition of assets via a section 363 sale.
- *Energy Coal* - counsel to foreign representative of Italian coal product wholesaler in its Chapter 15 case.
- *Daebo International Shipping* - counsel to foreign representative of Korean bulk product shipping line in its Chapter 15 case
- Counsel to Chapter 7 Trustees in connection with cash collateral issues, asset sales, estate litigation, and claims reconciliation.

## **Professional and Community Involvement**

- Member of American Bankruptcy Institute
- Member of Delaware Bankruptcy Inns of Court
- Member of Delaware Bar Association

## **Articles and Presentations**

- *Daebo International Shipping: Reaffirmation of Chapter 15 Power and Policy*, Pratt's Journal of Bankruptcy Law, June 2016
- *Commercial Bankruptcy Litigation*, 2d, 2013 ed. (Thomson Reuters Westlaw), co-author chapter "Litigation Concerning the Petition"
- *Standing in Bankruptcy Cases: Has the 3rd Circuit Expanded the Doctrine?*, Delaware Business Court Insider, July 20, 2011, co-author