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Douglas S. Mintz
Partner

Contact

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Co-chair of the Business Reorganization Group and co-head of Special Situations Group.

Focuses principally on the representation of creditors in financial restructurings and special situations, including private credit providers and other secured and unsecured lenders, ad hoc committees of noteholders, equity sponsors and distressed investors.

Doug leads Schulte's team with respect to both borrower and creditor side engagements, including in coordinating Schulte's partners across the broad range of practice areas that play key roles in any special situation.

He has deep experience advising on public finance, energy, commodities and technology restructurings.

Doug is Chambers-rated for Restructuring and rated in *Legal 500* for Municipal Restructurings.

He was previously a partner at Orrick, Herrington & Sutcliffe, where he coled the firm's hedge fund client initiative, representing private investment funds in a variety of public finance and energy situations. He advised groups of funds in numerous distressed situations, among many other types of matters. In addition, he played a key role in building out Orrick's ability to service borrowers in workouts and in bankruptcy.

Doug and his family created the Morris and Annette Mintz Scholarship, which awards scholarships to first-generation immigrants attending the University of Maryland at College Park. He also served for four years on the Board of the University of Maryland Alumni Association.

THE BEST PART OF MY JOB IS

"Bringing the entire Schulte team together to help our clients in any type of distressed situation."

Practices

BUSINESS REORGANIZATION

SPECIAL SITUATIONS AND BANKRUPTCY LITIGATION

SPECIAL SITUATIONS

Bar Admissions

District of Columbia

New York

Court Admissions

US District Court, District of Columbia

US District Court, Southern District of New York

Education

University of Virginia School of Law, J.D.

University of Maryland, B.A.

magna cum laude

Representations

Fund Representations

- Certain bondholders of the Puerto Rico Employee Retirement
 System in negotiating an RSA and plan term sheet in connection
 with the instrumentality's PROMESA debt adjustment plan.
- Renco Group in the appeal of fraudulent transfer litigation in the Magnesium Corp. bankruptcy.
- Co-counsel to equity holders of PG&E.
- Counsel to holders of subrogation claims against California utilities.
- A significant hedge fund investor in the potential restructuring of a large investor-owned utility.
- Wells Fargo in the restructuring of Chesapeake Energy Company's secured debt.
- A partner in multiple distressed power projects.
- Debtors' counsel in the restructuring of Mirant and LyondellBasell.

Infrastructure and Shipping

- Ocean Rig, an offshore drilling company in the restructuring, through Cayman schemes and Chapter 15, of approximately \$4 billion in secured and unsecured debt.
- Borrower's counsel to biofuel plant in Oregon.
- Issuer's counsel to distressed agrifiber plant in California.
- Borrower's counsel in the out-of-court restructuring of debt for a water desalinization plant in Texas.
- Borrower's counsel in an owner of out-patient surgical centers in Texas and the Southwest.
- Borrower's counsel to 5G spectrum leasing company

- Lenders' and agent's counsel in the restructuring and bankruptcy of Indiana Toll Road.
- Lenders' counsel in the bankruptcy of Eagle Bulk Shipping.
- Counsel to Credit Agricole in the Genco bankruptcy.
- Counsel to the borrower in the restructuring of Pocahontas Parkway toll road.

Finance

- Counsel to the DRA Parties in Puerto Rico's Title III and related cases (advising and litigating with respect to more than \$20 BN in claims against multiple Puerto Rico entities).
- Counsel to bidders for the assets of GWG Holdings.
- Bondholders in the restructuring of Puerto Rico, including as cocounsel to the COFINA Senior Bondholders' Coalition.
- Counsel to distressed investors analyzing the workout and bankruptcy of opioid manufacturers.
- The Borrower in the potential workout of a tribal gaming finance facility.
- Bidders for the DIP loan and bondholders in the restructuring and Chapter 9 bankruptcy of Detroit.
- Bondholders in the Chapter 9 bankruptcy of Jefferson County, Alabama.
- Bondholders of the Chicago Board of Education and the US Virgin Islands.

Technology

- Counsel to the equity sponsor of an entertainment data company.
- Counsel to DIP Lenders in NS8 Inc. bankruptcy.
- Coalition of Intelsat Jackson Senior Noteholders in Intelsat Chapter
 11 cases.
- Bondholders in multiple distressed TMT companies.

- Counsel to petitioning creditor of Yieldbot, in involuntary Chapter 11.
- Official Committee of Unsecured Creditors' Committee of ActiveCare, Inc.
- Lily Robotics, Inc., in its Chapter 11 case.
- Borrower in the restructuring of a telecommunications company.
- Lenders in the bankruptcy of Contec Holdings, Ltd.

Commercial and Retail

- Counsel to debtholders in Trimark
- Counsel to Senior Lenders in AAC Holdings, Inc.
- Counsel to Whitebox in the Caesars chapter 11 cases, including in the litigation of a claims transfer.
- Bidders for certain assets of Toys 'R' Us and Gibson Guitars.
- Landlords and hedge funds in multiple recent retail bankruptcies.
- Collateral Agent in an industrial restructuring.
- Borrower in a hospital services company.
- Lenders in multiple real estate restructurings and bankruptcies.
- Carl leahn in the Blockbuster bankruptcy.
- US Treasury in the bankruptcies of GM, Chrysler and CIT Group and the workout of other TARP investments.

Publications

- "Minority Holders' Challenge to Wesco's Multi-Step Uptiering Transaction Largely Survives Summary Judgment," Schulte Alert, Jan. 29, 2024
- "Third Circuit Mandates Appointment of Examiner in FTXBankruptcy," Schulte Alert, Jan. 22, 2024
- "Bitcoin Spike Burns FTX Creditors," The Deal, Jan. 19, 2024 (quoted)
- "The Rise of Special Situations," Turnarounds & Workouts, December 2023
- "Supreme Court Tackles Third-Party Releases in Purdue Bankruptcy - Outcome Uncertain," Schulte Alert, Dec. 8, 2023
- "WeWork files for bankruptcy, capping a stunning downfall," MarketWatch, Nov. 6, 2023 (quoted)
- "Bankruptcy Claims Sellers Should Consider All Risk Elements," Bloomberg Law, Aug. 11, 2023
- "Serta Simmons Ch. 11 Expands Split On Credit Agreements," Law360, Aug. 9, 2023
- "Mid-Year 2023 Update," *Turnarounds & Workouts*, August 2023 (quoted)
- "Financial Titans Engage in Winner-Takes-All Battle: The Bankruptcy Court for the Southern District of Texas Upholds Serta's 2020 Uptiering Transaction," Schulte Alert, July 5, 2023
- "Bankruptcy is easier than ever, and on the rise," Alternatives Watch, July 3, 2023 (quoted)
- "Second Circuit's Purdue Pharma Ruling: Third Party Releases
 Remain a Question of Geography," Schulte Alert, June 20, 2023
- "3M Unit Bankruptcy Toss Is Second Blow to Mass Tort Defense Play," Bloomberg Law, June 13, 2023 (quoted)

- "Bankruptcy judge tosses Chapter 11 case by 3M's Aearo Technologies," Axios, June 13, 2023 (quoted)
- "Bankrupt Tuesday Morning Gets OK for \$32M Sale to Hilco,"
 Law360, April 27, 2023 (quoted)
- "Corporate Bankruptcies Jumped in Q1," Axios, April 7, 2023 (quoted)
- "Third Circuit Dismisses J&J Bankruptcy Case for Lack of Good Faith," Schulte Alert, Feb. 6, 2023
- "Cryptocurrency Update: Crypto in Celsius 'Earn' Accounts Are Property of Bankruptcy Estate, Not Customer Assets," Schulte Alert, Jan. 12, 2023
- "Bankruptcy Courts Lose Ground Amid Texas Electricity Rate Ruling," Bloomberg Law, Jan. 12, 2023 (quoted)
- "CLOs: Adding Flexibility to Engage in Liability
 Management Transactions," Schulte Alert, Dec. 5, 2022
- "Recent Challenges to Uptiering Transactions," American Bankruptcy Institute Journal, December 2022
- "'It's So Hard to Say Goodbye...': Judge Drain Bids Farewell to Bench By Urging Congress to Curtail Section 546(e) Safe Harbor" Schulte Alert, Nov. 21, 2022
- "Ninth Circuit Holds Unimpaired Unsecured Creditors Entitled to PostBankruptcy Interest on Claims at Contractual Default Rate," Schulte Alert, Aug. 31, 2022
- "Third-Party Releases Under Continued Fire in E.D. Va.
 Decision," Harvard Law School Bankruptcy Roundtable, Aug. 2, 2022
- "J&J Talc Lawsuits Transferred to New Jersey A Look into the Texas Two-Step Maneuver," Pratt's Journal of Bankruptcy Law, April/May 2022
- "Fifth Circuit Resolves 'Clash' Between FERC and Bankruptcy Courts," Schulte Alert, Mar. 23, 2022; republished in *The Bankruptcy* Strategist, April 2022

- "Third-Party Releases Under Continued Fire in Ascena Retail Group Ruling," Schulte Alert, Jan. 21, 2022; republished in Law360,
 February 2022; republished in *The Banking Law Journal*, May 2022
- "Fifth Circuit Resolves 'Clash' Between FERC and Bankruptcy Courts," Schulte Alert, March 23, 2022
- "Using 3rd-Party Releases in Chapter 11 After Court Pushback," Law 360, February 2022
- "Third-Party Releases Under Continued Fire in Ascena Retail Group Ruling," Schulte Alert, Jan. 21, 2022; republished in Law360, February 2022
- "Validity of Non-Consensual Third-Party Releases Called into Question in Purdue Bankruptcy - But for How Long?" Schulte Alert, Dec. 22, 2021; republished in Pratt's Journal of Bankruptcy Law, April/May 2022
- "J&J Talc Lawsuits Transferred to NJ A Look Into the Texas Two-Step Maneuver," Schulte Alert, Dec. 7, 2021
- "Eighth Circuit Scales Back Equitable Mootness Doctrine for Dismissing Confirmation Appeal," Schulte Alert, Aug. 31, 2021
- "Energy Future Holdings: Third Circuit Authorizes Potential Administrative Claim for Losing Stalking Horse Bidder," Schulte Alert, June 1, 2021
- "A Look at Four Recent Electrical Cooperatives in Bankruptcy Context to Brazos Electric," Schulte Alert, March 26, 2021
- "Ultra Petroleum Bankruptcy Court Allows Make-Whole Premium and Postpetition Interest at Contractual Default Rate," Schulte Alert, Feb. 22, 2021

Speaking Engagements

- "Distressed Opportunities," Schulte Private Capital Conversations, July 2023
- "Next Steps for Investment Funds with Exposure to Silicon Valley Bank," Schulte Webinar, March 2023
- "Whatever Happened to Bankruptcy?" Wharton Restructuring and Distressed Investing Conference 2023, February 2023
- "Distressed Opportunities," Schulte 32nd Annual Private Investment Funds Seminar, January 2023
- "The Broad Spectrum of Distressed Investing," 18th Annual Wharton Restructuring and Distressed Investing Conference, February 2022
- "Bankruptcy," Schulte 31st Annual Private Investment Funds Seminar, January 2022

Distinctions

- Chambers USA
- The Legal 500 US
- Lawdragon

Prior Experience

- Orrick, Herrington & Sutcliffe
- Cadwalader, Wickersham & Taft