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Peter J. Amend
Special Counsel

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Advises on restructuring and distressed-related matters in various capacities for asset purchasers, distressed investors and lenders, debtors, creditors and equity owners.

Before joining Schulte, Peter worked at two large international law firms, where his practice was focused on financial restructuring and insolvency.

Peter has authored several articles on developments in restructuring law and has spoken about trends and topics in bankruptcy in both internal and external seminars. Some of his written works have been published in nationwide publications such as *Law360* and the *American Bankruptcy Institute Journal*.

Practices

BUSINESS REORGANIZATION

SPECIAL SITUATIONS AND BANKRUPTCY LITIGATION

SPECIAL SITUATIONS

Bar Admissions

New York

Court Admissions

US District Court, Southern District of New York

US District Court, Eastern District of New York

US District Court, Eastern District of Michigan

US Court of Appeals, First Circuit

Clerkships

Hon. Martin Glenn, US Bankruptcy Court, Southern District of New York

Education

Brooklyn Law School, J.D.

- *magna cum laude*
- Executive Articles Editor, *Brooklyn Journal of Corporate, Financial & Commercial Law*

Iona College, Hagan School of Business, B.B.A.

- *summa cum laude*

Representations

- The Special Committee of the Board of Directors of Kidde-Fenwal, Inc. (KFI), in connection with its Chapter 11 case and internal investigation of claims related to fire suppression chemicals that were used by KFI in the manufacture and distribution of aqueous film forming foam.
- Debtholders in TriMark in connection with uptiering litigation brought against the company.
- Cerberus Business Finance LLC, in its capacity as Administrative and Collateral Agent, for a syndicate of lenders under a \$350 million credit facility, in connection with the restructuring of American Achievement Corporation.
- 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.
- The Collateral Monitor for the GDB Debt Recovery Authority, which is responsible for liquidating certain of the GDB's assets pursuant to its Title VI PROMESA case.
- The agent and senior secured lenders under a \$270 million+ loan provided to a leading manufacturer of home and personal care products, in connection with a multi-step out-of-court restructuring of the company.
- Foundry Digital LLC, in a number of major crypto-related acquisitions and bids for crypto mining sites and related assets in several recent crypto bankruptcy cases.
- Wave Digital Assets in connection with the purchase of certain assets from Voyager Digital.
- Bidders for the assets of GWG Holdings.
- Foundry Digital LLC, as a significant unsecured creditor, and an equity holder and member of the Official Committee of Equity Holders, of Core Scientific, Inc. and its affiliated debtors.

- Delta Lloyd Levensverzekering NV, as the secured party, in a foreclosure sale of its interest in a trust owning life insurance policies with a net-death benefit in excess of over \$400 million.
- The Houston Rockets, as equity owner, in the Chapter 11 bankruptcy of Houston Regional Sports Network LP.
- The Brazilian Development Bank and Agência Especial de Financiamento Industrial – FINAME in connection with its sale of more than \$600 million of unsecured claims in the Chapter 11 bankruptcy of AMR Corporation and certain of its subsidiaries as well as the restructuring of American Airlines’ obligations under aircraft mortgage loans.
- Administrative agents in the Chapter 11 cases of ITR Concession Company LLC, Genco Shipping & Trading Ltd. and Colt Holding Company LLC.
- Citigroup, the largest creditor in the Chapter 11 case of GT Advanced Technologies Inc. and in district court litigation stemming from the purchase of bankruptcy claims in this case.
- Koch Industries in a variety of bankruptcy-related matters, including Bernard L. Madoff Investment Securities LLC, and David H. Koch, as defendant in multiple adversary proceedings pending in the US Bankruptcy Court for the Central District of Los Angeles, where the complaints were eventually dismissed at the pleading stage of the cases.
- Lily Robotics, a drone manufacturer, in its Chapter 11 bankruptcy case.
- Ocean Rig UDW, a drilling contractor, in its restructuring.
- Statoil, as purchaser of Cobalt International Energy’s operating interest in the North Platte discovery in the US Gulf of Mexico.
- The Royal Bank of Canada in certain out-of-court restructurings.

Publications

- “Minority Holders’ Challenge to Wesco’s Multi-Step Uptiering Transaction Largely Survives Summary Judgment,” *Schulte Alert*, Jan. 29, 2024
- “Serta Simmons Ch. 11 Expands Split On Credit Agreements,” *Law360*, Aug. 9, 2023
- “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
- “Second Circuit’s Purdue Pharma Ruling: Third Party Releases Remain a Question of Geography,” *Schulte Alert*, June 20, 2023
- “Cryptocurrency Update: Crypto in Celsius ‘Earn’ Accounts Are Property of Bankruptcy Estate, Not Customer Assets,” *Schulte Alert*, Jan. 12, 2023
- “Recent Challenges to Uptiering Transactions,” *American Bankruptcy Institute Journal*, Dec. 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
- “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
- “Eighth Circuit Scales Back Equitable Mootness Doctrine for Dismissing Confirmation Appeal,” *Schulte Alert*, Aug. 31, 2021
- “*Ultra Petroleum* Bankruptcy Court Allows Make-Whole Premium and Postpetition Interest at Contractual Default Rate,” *Schulte Alert*, Feb. 22, 2021
- “Bloomberg Law: Bankruptcy Treatise,” *Bloomberg BNA* (contributing author)

- “Treatment of Secured Claims in Insolvency and Pre-Insolvency Proceedings II,” *INSOL International Publication*, 2nd Edition, November 2020
 - “Exploring The New-Value Exception In Multidebtor Cases,” *Law360*, November 2017
 - “Rakoff’s Foreign Fund Clawback Ruling Has Limitations,” *Law360*, July 2014
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Speaking Engagements

- Panelist, Schulte Roth & Zabel Bankruptcy Boot Camp, November 2023
 - Speaker, Hawaiian Electric Webinar hosted by Schulte Roth & Zabel and Oppenheimer, October 2023
 - Panelist, Schulte Roth & Zabel Bankruptcy Boot Camp, November 2022
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Prior Experience

- Orrick, Herrington & Sutcliffe
- White & Case