



## Edward M. Fox

Edward has represented debtors, creditors' committees, indenture trustees, landlords, and other creditors in some of the nation's largest bankruptcy cases, in some cases obtaining higher recoveries for his clients than similarly situated creditors received. He has also represented banks, pension funds, labor unions, and other creditors in numerous Chapter 11 reorganization cases involving retailers, hotel and motel properties, office buildings, casinos, and other businesses, and he has represented creditors and ad hoc committees in out-of-court restructurings.

### Representative Matters

- Represents the indenture trustee and collateral agent for the 6-5/8% Senior Secured Notes due 2018 in *In re Sears Holdings Corporation* (Chapter 11, S.D.N.Y.)
- Represented a significant noteholder and proponent of an alternative rights offering backstop proposal in *In re SunEdison, Inc.* (Chapter 11, S.D.N.Y.)
- Represents the indenture trustee for \$355 million second priority senior secured notes in *In re Erickson Incorporated* (Chapter 11, N.D. TX)
- Represented the successor indenture trustee for two issues of Convertible Senior Notes in *In re SandRidge Energy, Inc., et al.* (Chapter 11, S.D. TX)
- Represented the largest secured creditor in *In re Newbury Common Associates, LLC, et al.*, a real estate development company (Chapter 11, D. Del.)
- Represented the Official Committee of Unsecured Creditors of Energy Futures Holdings Corp., et al. as co-counsel (Chapter 11, D. Del.)
- Represented the indenture trustee in the out-of-court restructuring of \$100 million senior secured second lien notes issued by an industrial company.
- Represented the indenture trustee for \$150 million senior notes in *In re Overseas Shipholding Group, Inc.* (Chapter 11, D. Del.), resulting in a par plus accrued recovery.
- Represented the Brown Publishing Company and its subsidiaries and affiliates as debtors and debtors-in-possession (Chapter 11, E.D.N.Y.)
- Represented the Official Committee of Unsecured Creditors of Pacific Ethanol Holding Co., LLC (Chapter 11, D. Del.)
- Represented the Examiner in *In re New Century TRS Holdings, Inc.* (Chapter 11, D. Del.)
- Represented the Official Committee of Unsecured Creditors in *In re The New York Racing Association Inc.* (Chapter 11, S.D.N.Y.), owner of the Belmont Park, Aqueduct, and Saratoga thoroughbred race tracks in New York State.

### NEW YORK OFFICE

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### EDUCATION

Columbia University (B.A. 1982)

Boston University School of Law (J.D.,  
*magna cum laude* 1985)

American Journal of Law & Medicine,  
editor

### PRACTICES & INDUSTRIES

Bankruptcy & Restructuring

### ADMISSIONS

Massachusetts, 1985

New York, 1986

U.S District Court

- Southern District Court of New York
- Eastern District of New York
- Northern District of New York

U.S Court of Appeals

- Second Circuit
- Third Circuit
- Ninth Circuit

U.S. Supreme Court

- Represented the indenture trustee for \$2 billion of senior debt issued by Delphi Corporation in *In re Delphi Corporation* (Chapter 11, S.D.N.Y.)
- Represented the largest creditor in *In re Elite Model Management, Inc.* (Chapter 11, S.D.N.Y.)
- Represented the indenture trustee and property trustee for the Enron Trust Preferred Securities (“TOPRS”) and six underlying issues of notes, two of which received the highest recovery of any claims in *In re Enron Corp.* (Chapter 11, S.D.N.Y.)
- Represented a major life insurance company in the out-of-court restructuring of a privately held manufacturing company.
- Represented the indenture trustee for \$100 million of secured notes in *In re Golden Books Family Entertainment, Inc.* (Chapter 11, D. Del.)
- Represented indenture trustees as members of the creditors’ committees in *In re Kmart Corp.* (Chapter 11, N.D. Ill.), *In re Bethlehem Steel Corporation* (Chapter 11, S.D.N.Y.), *In re Carmike Cinemas, Inc.* (Chapter 11, D. Del.), *In re Anacomp, Inc.* (Chapter 11, D. Del.), *In re Pan American World Airways, Inc.* (Chapter 11, S.D.N.Y.), *In re Almacs, Inc.* (Chapter 11, D.R.I.), and *In re Eastern Airlines, Inc.* (Chapter 11, S.D.N.Y.)
- Represented a Midwest-based hedge fund and a major Canadian theatre equipment lessor as members of the unsecured creditors’ committee, and negotiated and drafted the plan of reorganization resolving the case, in *In re Livent, Inc.* (Chapter 11, S.D.N.Y.)
- Represented the indenture trustee for \$60 million first mortgage notes in *In re Arizona Charlie’s, Inc. Hotel and Casino.* (Chapter 11, D. Nev.)
- Represented a bridge lender and co-chair of the creditors’ committee in *In re Diversified Industries, Inc.* (Chapter 11, E.D. Mo.)