



C. Edward Dobbs

Partner
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Ed's practice for more than 42 years has been concentrated in documenting and closing commercial loans for banks and other financial institutions, including asset-based lending arrangements; representing financial institutions in debt restructurings, workouts and forbearance arrangements; defending financial institutions in litigation involving alleged fraudulent conveyances, preferences and lender liability claims; representing financial institutions as secured and unsecured creditors in Chapter 11 bankruptcy cases; and representing debtors, unsecured creditors, and creditors' committees in Chapter 11 reorganization cases.

Ed has been involved in large Chapter 11 cases in bankruptcy courts throughout the southeast and in Delaware, Louisiana, Michigan, New York, Oklahoma and Texas. In addition to his experience representing both debtors and creditors in bankruptcy cases and in representing financial institutions in large commercial loan transactions, Ed has also served as an expert witness on various commercial law and bankruptcy matters.

A long-time participant in the alternative dispute resolution arena, Ed is on the panel of neutrals maintained by the American Arbitration Association for complex commercial cases and frequently serves as a mediator in complex commercial disputes, including controversies arising out of or related to corporate bankruptcy cases.

Representative Engagements

- Represented numerous financial institutions in syndicated loan transactions from \$100 million to in excess of \$1 billion, many of which have involved multi-currency loans to affiliated borrowers in Canada, the United Kingdom, Italy, France, Germany, Denmark and Belgium.
- Represented numerous financial institutions in connection with investigation and prosecution of claims arising from fraud perpetrated on the financial institutions by third parties.
- Represented Bank of America, N.A., as agent bank with respect to \$350 million credit facility in Chapter 11 case of Kellstrom Industries in Delaware.
- Represented agent and bank group in \$350 million DIP financing in Chapter 11 case of WestPoint Stevens in Southern District of New York.
- Represented Bank of America, N.A., as syndicate agent with respect to \$130 million DIP financing facility in favor of Noranda Aluminum Company and affiliates in Chapter 11 bankruptcy cases in St. Louis, Missouri.
- Represented The Colonial BancGroup, Inc., a bank holding company, as debtor, in a Chapter 11 case in Montgomery, Alabama.
- Represented Vesta Insurance Group, Inc., a publicly traded insurance holding company, and its wholly owned management subsidiary, J. Gordon Gaines, Inc., as Chapter 11 debtors in Birmingham, Alabama, resulting in confirmed Chapter 11 liquidation plans.
- Represented Bank of America, N. A., as administrative and collateral agent, in a \$125 million DIP financing facility in favor of the Standard Register Company and affiliates in Chapter 11 bankruptcy

cases in Delaware.

- Represented Bank of America, N.A., as agent with respect to \$100 million pre-petition and DIP financing to Reichhold, Inc. and affiliates.
- Represented Bank of America, N.A., as syndicate agent with respect to \$120 million credit facility in Chapter 11 cases of Plastech Engineered Products, Inc. and affiliates in Detroit, Michigan, and in connection with DIP financing for those debtors.
- Represented Regions Bank as prepetition lender and DIP lender in Chapter 11 case of Bruno's Inc. in Birmingham, Alabama.
- Represented agent and bank group in debtor-in-possession financing in Chapter 11 cases of Cone Mills and affiliates in New York and exit financing for WLR Cone Mills.
- Represented The Enstar Group as debtor in Chapter 11 case, which resulted in full payment of more than \$175 million in debt, together with a distribution to equity security holders and subsequent listing of the reorganized debtor on the New York Stock Exchange.
- Represented Barclays Bank in Chapter 11 case of Murray Industries (manufacturer of Chris Craft boats) in Tampa, Florida.
- Represented Currahee Club and affiliates, owners of resort and golf course development, as debtors in Chapter 11 cases in Atlanta, Georgia, resulting in a confirmed Chapter 11 plan of liquidation.
- Represented Ames Taping & Tooling and affiliates, as debtors, in Chapter 11 cases in Delaware.
- Represented Standard Chartered Bank and Lloyd's Bank as secured creditors in Chapter 11 bankruptcy case of General Development Corporation in Miami, Florida.
- Represented The McBurney Corporation as debtor-in-possession in its Chapter 11 case in Atlanta, Georgia, resulting in a confirmed Chapter 11 plan of reorganization.

Arbitration and Mediation Experience

- Arbitration: Served as arbitrator in numerous complex commercial disputes, including disputes under Articles 2 and 9 of the Uniform Commercial Code, construction litigation disputes, cases involving brokerage commissions and other breach of contract matters, accounting and auditor malpractice cases, intellectual property cases, real estate investment disputes, disputes under partnership agreements, lender liability matters, disputes involving change of control provisions in investment banking agreements, intercreditor agreements and request for appointment of a receiver, and various cases involving conversion, fraud and breach of fiduciary duty.
- Mediation: Served as mediator in numerous complex commercial disputes in Alabama, Arkansas, Connecticut, Florida, Georgia, Louisiana, North Carolina, South Carolina, Tennessee, and Texas, including (i) commercial litigation arising out of or related to bankruptcy cases, fraudulent transfer claims (including claims arising from Ponzi schemes), professional fee disgorgement disputes in administratively insolvent bankruptcy cases, voidable preference claims, dischargeability disputes, plan confirmation challenges, suits against officers and directors for breach of fiduciary duty or equitable subordination or recharacterization of insider loans, and (ii) disputes under commercial leases, lender liability claims, fraud claims, inter-bank disputes (including disputes under participation and syndication agency agreements), claims asserted under various types of contracts (including sales and distribution agreements, construction contracts and joint venture agreements), business separations and dissolutions, suits on guaranties, and claims by banks and insurers regarding scope and coverage of mortgage credit insurance.

Professional and Civic Involvement

Professional Affiliations:

- Fellow, American College of Bankruptcy (since 1993)
- Fellow, American College of Commercial Finance Lawyers (since 1991; President, 1996-1998)
- Fellow, Lawyers Foundation of Georgia (1983-)
- Fellow, American Bar Foundation (2011-)

- Atlanta Chapter of Turnaround Management Association (Board member, 2002-2010; President 2007-2009)
- Adjunct Professor of Law, Emory University School of Law (1987-1992)
- Master of the Bench, W. Homer Drake, Jr. Georgia Bankruptcy American Inn of Court (2014-)
- American Judicature Society (Member, Board of Directors, 1981-1982)
- Advisory Board of Directors, CFA Education Foundation, Inc., and annual fundraising chair (2016)
- Faculty, Association of Certified Turnaround Professionals
- Atlanta Bar Association (Member, Corporate Banking and Bankruptcy Sections)
- State Bar of Georgia (Chairman, Section of Bankruptcy Law, 1978-1979); Section of Dispute Resolution
- American Bar Association (ABA Young Lawyers Division, Chairman 1981-1982; Member, House of Delegates, 1982-1984; Creditors' Rights Subcommittee, Chair, 1994-1995; Syndications and Participations Subcommittee, Chair, 1996-1997, Member of Section of Business Law and Member, Section of Dispute Resolution)
- Board of Directors, Southeastern Bankruptcy Law Institute, Inc. (1979- ; President, 1991-1992, 2005-2006; Chairman, 1992-1993, 2006-2007)
- Member, American Arbitration Association, National Roster of Neutrals (arbitrations and mediations)
- Member, Delaware Bankruptcy Court Mediation Panel
- Association of Commercial Finance Attorneys

Civic Involvement:

- Board of Trustees, Davidson College (2009-2011)
- Board of Visitors, Davidson College (2005-present; Board chair (2009-2010)
- Board of Directors, Trees Atlanta, Inc. (2002-present; President (2009-2013)
- Board of Trustees, The Georgia Conservancy (2012-present; Board chair, 2016)
- Board of Trustees, Trinity School (1992-1996)
- Advisory Board, Department of Urology, Emory Medical School (2009-2013)
- Alumni Council, Vanderbilt University School of Law (1997-1999)

Honors

- Recipient of the lifetime achievement David W. Pollard Award, awarded by the Bankruptcy Section of the Atlanta Bar Association (2012)
- Selected by Best Lawyers as the Securitization and Structured Finance Law "Lawyer of the Year" in Atlanta (2014)
- Selected by Best Lawyers as the "Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law Lawyer of the Year" in Atlanta (2013)
- Selected by Best Lawyers as the "Banking and Finance Law Lawyer of the Year" in Atlanta (2012)
- Recognized by Best Lawyers as a leading practitioner in Arbitration, Banking and Finance Law, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, Corporate Law, Equipment Finance Law, Litigation - Bankruptcy, Mediation, Securitization and Structured Finance Law (1983-present; listed annually 33 consecutive years)
- Listed in Chambers USA Leading American Business Lawyers in both banking and finance and insolvency/recovery (2003-present) (and as a "Star" national lawyer in insolvency law) and in mediation (nationwide)
- Named as one of the Top 10 "Georgia Super Lawyers" by Law & Politics and Atlanta Magazine (2004, 2012-2013)
- Named as a "Top 100" Georgia Super Lawyer by Law & Politics and Atlanta Magazine (2004-present)
- Named as one of Georgia's leading lawyers in Georgia Trend Magazine (2004-present)
- Listed as one of the world's leading practitioners in the insolvency field in the "International Who's Who of Insolvency & Restructuring Lawyers" (2006-present)

- Listed as a "highly recommended" Atlanta insolvency lawyer in Practical Law Company's "Cross-Border Lawyer Handbook -- Restructuring and Insolvency" (2006-present)
- Listed as one of Georgia's leading banking law practitioners in "Who's Who Legal: Georgia" (2007-present)
- Named a top AV Preeminent® attorney in Legal Leaders: Bankruptcy and Legal Leaders: Banking and Finance Law
- Recognized for outstanding business and professional achievements by Strathmore's Who's Who (2009/2010)
- Listed as one of the world's leading lawyers in the "Guide to the World's Leading Insolvency and Restructuring Lawyers"
- Listed in "Who's Who Legal: The International Who's Who of Business Lawyers" (2012-present)
- Recognized as one of Georgia's "Top Rated Lawyers" by Martindale-Hubbell (AV preeminent rating) and ALM (2012-present)
- Listed in the field of Insolvency and Restructuring in Expert Guides - Banking, Finance and Transactional Law (2016)

Publications and Presentations

Presentations:

- Numerous presentations at seminars on lending, bankruptcy and mediation topics sponsored by bar and banking associations and other CLE providers, including the Atlanta Bar Association, the State Bar of Georgia, Mississippi Bar, Texas Bar, Tennessee Bar, Oklahoma Bar, Florida Bar, West Virginia Bar, the Practising Law Institute, the American Bankruptcy Institute, the Commercial Finance Association, the Turnaround Management Association and Commercial Law League of America
- Presented "Psychological Influences in Negotiation," State Bar of Georgia Annual Corporate & Business Law Institute (2015)
- Presented "Negotiating the Settlement of a Lawsuit," State Bar of Georgia Annual Corporate & Business Law Institute (2014)
- Presented "Mediation in Bankruptcy" for the Bankruptcy Law Section of the State Bar of Mississippi in Jackson, Mississippi (December 2013)
- Panelist at the Troubled Businesses and Bankruptcy Symposium sponsored by the Georgia Society of CPAs (October 2013)
- Faculty leader, American Bankruptcy Institute and St. John's University School of Law Bankruptcy Mediation Training Program (2011-2016)
- Panelist "Irrational Decision Making in Mediation" at ABI 2013 Spring Meeting (April 2013)
- Presented "Emerging and Complex Issues in Chapter 11: Part One" as a panelist at the National Conference of Bankruptcy Judges in Tampa, Florida (October 2011)
- Presenter and Author: "Mediation in Bankruptcy Cases -- A Mediator's Perspective," at ABI 2011 Spring Meeting (April 2011)
- Presenter and Co-Author: "Commercial Law -- Year in Review," Atlanta Bar Association (December 1989 - present)
- Presenter: "Workouts and Forbearance Agreements - Due Diligence and Documentation" at the Turnaround Management Association (Atlanta Chapter) series of Interdisciplinary Programs (June 2009)
- Panel Member: "Negotiating Intercreditor Agreements as Bankruptcy Filings Soar," teleconference by Strafford Publications (2008, 2009, 2011 - 2013, 2015)
- Panel Member, "In-Transit Inventory Financing," teleconference by Strafford Publications (2012, 2015)
- Panel Member: "The Bankruptcy Boom is Here: Are You Prepared for the Exponential Growth of Bankruptcy Mediation and Alternative Dispute Resolution," at the ABI Annual Meeting (April 2009)
- Panel Member and Co-Author: "In Transit Inventory: Loan Documentation and Practical

- "Considerations" Seminar at the ABA Spring Business Law Section Meeting (April 2009)
- Moderator and Panelist, Business Bankruptcy Panel on the "Brave New World of Finance," 23 Emory Bankruptcy Developments Journal, 549 (2007)

Publications:

- Editor and Co-author, "Georgia Commercial Lending Law" in Commercial Lending Law: A State-by-State Guide (American Bar Association 2009 - 2016)
- Editor and Co-Author, "Georgia State Law of Guaranties" in The Law of Guaranties (ABA 2013)
- Author, "Standards of Professional Conduct for Mediators" in Bankruptcy Mediation (American Bankruptcy Institute 2016)
- Author, "Unlocking Horns: Lender Use of Mediation for Dispute Resolution," ABL Advisor (March 2015)
- Author, "Drafting Lien Subordination Agreements with Bankruptcy in Mind," 27 Taxation and Regulation of Financial Institutions No. 6 (2014).
- Author, "Negotiating Points in Second Lien Financing Transactions," 4 DePaul & Commercial Law Journal 189 (2006)
- Co-author: "Bankruptcy Law Changes Will Affect Business Cases Too: The Bankruptcy Abuse Prevention and Consumer Act of 2005," 11 Georgia Bar Journal 32 (2005).
- Author, "Negotiating and Documenting a 'Defensive' Debtor-in-Possession Financing," The Review of Banking & Financial Services (October 2003)
- Co-author: "Bulk Transfers: Protecting the Banks' Security Interest," Commercial Lending Review (1997)
- Author, "Enforcement of Article 9 Security Interests-Why So Much Deference to the Junior Secured Party?" 28 Loyola of Los Angeles Law Review 131 (1994)
- Co-author: "Protecting Collateral Assignments of Partnership Interests," 9 Commercial Lending Review 31 (1994)
- Co-author: "Commitment Letters: Uses and Pitfalls," - Commercial Lending Review 10 (1993)
- Author, "Debt Subordinations," in Asset Based Financing, Matthew Bender (1985)
- Co-author: "Labor Act Jeopardizes Liens on Accounts Receivable of Service Companies," 6 Commercial Lending Review 40 (1991)
- "Taking Warrants in Loan Transactions: Legal Risks and Remedies," 3 Commercial Lending Review 67 (1988)
- Co-author: "New Requirements for Financing Statements and Continuation Statements Filed in Georgia," 22 Georgia Bar Journal (August 1985)
- Author, Enforcement of Security Interests in Personal Property, Harrison Company (1979)
- Co-author: "Bankruptcy Preference Concerns in Industrial Development Bond Financing," 84 West Virginia State Law Review 573 (1982)
- Author, Reorganization Under Chapter 11 of the Bankruptcy Code, Harrison Company (1980)
- Author, "Bankruptcy Reform Act of 1978 -- An Overview," 15 Georgia State Bar Journal (1979)
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Education

Davidson College - (A.B., 1971)

Vanderbilt University School of Law - (J.D., 1974); Order of the Coif; Articles Editor, Vanderbilt Law Review