



## Timothy W. Walsh

Partner  
Chair, Restructuring and Insolvency Practice

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**Timothy (Tim) advises clients on all aspects of restructuring transactions. He is the global Chair of the Firm's Restructuring & Insolvency practice.**

Tim has represented debtors in possession, creditors' committees, trustees, secured and unsecured creditors, bondholders, insurance companies, US and non-US lenders, and corporate clients in a broad range of bankruptcy and commercial real estate matters. He regularly represents and advises board of directors on restructuring issues. He is an experienced bankruptcy litigator and performs detailed investigations into insider transactions, fraudulent conveyances, and preference transactions. Tim also represents parties in out-of-court workouts and purchases of distressed debt and distressed assets.

Tim is also a member of the Bank Receivership Task Force, created in March of 2023.

## Key Matters

*Some of the experience represented below may have been handled at a previous firm.*

### **BANKRUPTCY REPRESENTATIONS**

- Debtor representation of upstream oil & gas company operating Furie Operating Alaska in its Chapter 11 bankruptcy proceedings.
- Debtor representation of Agera Energy, a retail supplier of electricity and natural gas, in its Chapter 11 bankruptcy proceedings.
- Debtor representation of an intraoperative neurophysiological monitoring company, ProNerve Holdings, LLC in its Chapter 11 proceedings, including a successful sale of ProNerve's assets for \$35 million pursuant to Section 363 of the Bankruptcy Code.
- Debtor representation of a firearms distributor, United Sporting Companies, in its Chapter 11 bankruptcy proceedings.
- Debtor representation of Affirmative Insurance Holdings, Inc., a publicly traded insurance company, in its Chapter 11 proceedings.
- Debtor representation of Victory Memorial Hospital in its Chapter 11 bankruptcy proceedings.
- Debtor representation of The Parkway Hospital, Inc in its Chapter 11 proceedings.
- Debtor representation of Globe Metallurgical, Inc., a manufacturer of metallurgical and chemical-grade silicon metal and silicon-based alloys in its Chapter 11 proceedings.
- Debtor representation of Western Dialysis Management Center in its Chapter 11 proceedings.
- Debtor representation of telecommunication exchange carrier, Empire One Telecommunications, Inc., in its Chapter 11 proceedings.
- Represented the official committee of unsecured creditors in cryptocurrency financial services platform Cred Inc.'s Chapter 11 cases.
- Represented the official committee of unsecured creditors in specialty metals supplier Energy Alloys Holdings, LLC's Chapter 11 cases.
- Represented the official committee of unsecured creditors in leading lifestyle brands owner and licensee Centric Brands, Inc.'s Chapter 11 cases.
- Represented the official committee of unsecured creditors in wholesale distributors of Italian specialty foods and food related products Lisanti Foods, Inc's Chapter 11 cases.
- Represented bondholder group holding in excess of \$180 million in skilled nursing and assisted-living centers Genesis Health Ventures' Chapter 11 cases.
- Represented ad hoc bondholder group holding \$300 million in principal amount in connection with the reorganization of Brazilian oil and gas company OGX Petroleo & Gas Participacoes SA, the largest restructuring in Latin America to date.
- Represented four of the world's five largest intermodal shipping container lessors in the Chapter 15 case of Hanjin Shipping Co., Ltd., and related insolvency proceedings worldwide, including Korea.
- Represented an international apparel manufacturer and retailer with approximately 1,000 store locations in connection with a potential Chapter 11 bankruptcy filing.
- Represented Japanese real estate portfolio in connection with the wind-up of all operations under state dissolution proceedings and in Chapter 11 proceedings.
- Represented international fuel bunker supplier O.W. Bunker Germany GmbH as a debtor in Chapter 15 proceedings and in connection with litigation in New York and Texas regarding unpaid fuel bunker receivables.
- Represented renewable energy investment fund in connection with the potential acquisition of \$1 billion of solar energy assets in the United States under Section 363 of the Bankruptcy Code.
- Represented bidders in connection with the potential acquisition of casino and related assets in Atlantic City, New Jersey, under Section 363 of the Bankruptcy Code.

- Represented major publicly traded global media company as trade creditor in multiple bankruptcy proceedings.

## OUT-OF-COURT RESTRUCTURINGS & OTHER REPRESENTATIONS

- Debtor’s counsel in an out-of-court international restructuring of a \$2 billion real estate portfolio.
- Represented secured lenders in connection with a senior secured credit facility in the amount of \$306 million for the private portion of the financing of a 99-year concession for a toll road in the United States.
- Represented an \$80 billion publicly traded company in connection with seeking access to sealed information filed in 13 asbestos bankruptcy cases.
- Represented foreign bank as lender in its \$500 million participation in a multi-billion-dollar senior unsecured revolving credit facility with borrowers Countrywide Financial Corporation and Countrywide Home Loans, Inc., the country’s largest mortgage provider.
- Represented a lender and noteholder in several distressed credit facilities and collateralized bond offerings involving Credit-Based Asset Servicing and Securitization LLC (C-Bass) and several C-Bass affiliates as borrowers and issuers of commercial paper, including credit facilities and indentures in an aggregate amount of approximately \$3 billion.
- Represented foreign bank in workout of \$110 million portfolio of equity loans to builders throughout Florida, secured by assignments of the underlying notes and mortgages.
- Represented residential condominium high rise owner in restructuring of a \$40 million secured credit facility.

## Recognitions

- Recognized by *IFLR1000* in Bankruptcy and Restructuring Law, 2023-2024
  - Recognized by *The Best Lawyers in America*® in Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2024
  - Recognized by *The Legal 500 US*, 2015, 2017, 2018, 2019
  - *Super Lawyers*, 2021
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## Credentials

### EDUCATION

Tim received his B.S. from State University of New York in 1982 and his M.B.A., *cum laude*, from Adelphi University in 1989. He received his J.D. from New York Law School in 1991.

### ADMISSIONS

- New York

## Related Insights & News

### Publications:

- “French and U.S. Bankruptcy Sales Compared,” *Firm Insight – International News* (December 2020)

- “The Art of the Ad-Hoc – The U.S. Perspective,” *Global Restructuring Review* (December 2020)
  - “363 Sales Checklist,” *Guidebook at the Legal Project Management in Mergers and Acquisitions Task Force of the Business Law Section of the American Bar Association Conference* (September 2020)
  - “Qualified Opportunity Funds Could be a Boon for Distressed Investors,” *WSJ Pro-Bankruptcy* (August 2018)
  - “Ship Arrests and Creditors’ Rights in Maritime Bankruptcies,” *The Deal Pipeline* (January 2017)
  - “Efforts to Avoid Hospital Bankruptcy Filings Often Go Unrewarded,” *HFM Magazine* (January 2016)
  - “Navigating the Maze of IP Licenses in Bankruptcy,” *Corporate Counsel* (February 2015)
  - “Entertainment Industry Licenses and Bankruptcy,” *Corporate Counsel* (March 2015)
  - “Changes in Long Term Care are Critical to Treating U.S. Healthcare Ills,” *Journal of Corporate Renewal* (July 2014)
  - “The DOJ’s New Fee Application Guidelines,” *The Bankruptcy Strategist* (August 2013)
  - “U.S. Supreme Court Enforces Secured Creditor’s Right to Credit Bid,” *National Law Review* (June 2012)
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## **SPONSORSHIP**

Winston & Strawn Sponsors American Bankruptcy Institute’s Annual Spring Meeting

APRIL 18, 2024

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## **SPONSORSHIP**

Winston & Strawn Sponsors 32nd Annual Duberstein Bankruptcy Moot Court Competition and Gala Awards

MARCH 2, 2024

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## **NEWS**

Winston & Strawn Files Lawsuit Against FDIC

DECEMBER 19, 2023

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## **SPONSORSHIP**

Winston & Strawn Sponsors the TMA Executive Speaker Forum 2023

NOVEMBER 16, 2023

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## **SEMINAR/CLE**

Winston & Strawn and Grant Thornton’s 2023 International Restructuring Conference

NOVEMBER 13, 2023

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## **RECOGNITIONS**

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

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## **RECOGNITIONS**

Timothy Walsh Listed in the Global M&A Network’s Top 100 Restructuring Professionals

## BLOG

Judge Albright Grants Defendant's Motion To Transfer When Witnesses, Evidence, And Events Giving Rise To Suit Are Located In Transfer Destination Venue

JULY 12, 2023

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## SPONSORSHIP

Winston & Strawn Sponsors The Deal Economy Conference 2023

JUNE 6, 2023

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## CLIENT ALERT

FAQ Resource, by the Bank Receiverships Task Force

ORIGINALLY PUBLISHED MARCH 15, 2023 - CHECK FOR UPDATES

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## SPONSORSHIP

Winston & Strawn Sponsors the American Bankruptcy Institute's Annual Spring Meeting

APRIL 20-22, 2023

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## RECOGNITIONS

Winston & Strawn Wins at The M&A Advisor's 2023 Distressed Investing Summit: 17th Annual Turnaround Awards

MARCH 22, 2023

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# Capabilities

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