

ROBERT J. ROSENBERG

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AREAS OF PROFESSIONAL EXPERTISE:

Insolvency and corporate reorganization
Experience as mediator, trustee, examiner and director

SELECTED RECENT ROLES:

Expert witness for plaintiff in fraudulent transfer litigation in In re Black Elk, LLP
Consultant and expert witness in administrative and adversary proceedings involving international institution
Independent director of Constellation Healthcare Technologies, Inc. and Orion Healthcare, Inc.
Expert witness in defense of major law firm in malpractice litigation
Independent member of board of managers of BCBG Max Azria Global Holdings LLC
Independent director of Source Home Entertainment LLC
Operating trustee in Craig Antell P.C. chapter 11 case
Liquidating trustee in Savient Pharmaceuticals, Inc. chapter 11 case
Mediator in Wilmington Trust Co. v. Global Marine litigation
Mediator in SunEdison chapter 11 case
Mediator in General Motors chapter 11 case
Mediator in Dreier LLP chapter 11 case
Mediator in Bayou Group LLC chapter 11 case
Mediator in Pipeline Data Inc. chapter 11 case
Mediator in Geokinetics Inc. chapter 11 case
Mediator in Gregory Maidman chapter 7 adversary proceeding
Mediator in Bernard L. Madoff Investment Securities case
Mediator in RG Steel chapter 11 case
Mediator in Fisker Automotive chapter 11 case

SELECTED LEGAL REPRESENTATIONS:

Aurora Bank, f/k/a Lehman Brothers Bank, in the chapter 11 case of its parent Lehman Brothers
Boston Generating et al, debtor in chapter 11 case
Bank of New York Mellon as indenture trustee of \$3.8 billion of bonds in the Nortel chapter 11 cases
Bank of New York Mellon as indenture trustee in the Six Flags chapter 11 case
1st lien lenders in chapter 11 case and subsequent workout of Legends Gaming
Barclays and others in Tribune Company chapter 11 case
Deutschebank in General Growth Properties chapter 11 case
Carlyle in Hawaii Telecom chapter 11 case
Creditors committee in Delphi chapter 11 case
Olympus bondholders in Adelphia Communications chapter 11 case
Montana Resources in ASARCO chapter 11 case
Bank of New York Mellon as indenture trustee in Delta Airlines chapter 11 case
Lehman Brothers in many bankruptcies, including Conseco and American Home Mortgage

Wells Fargo Bank as co-chair of creditors committee in Enron chapter 11 case
Time Warner entities in WorldCom chapter 11 case
Creditors committee in Continental Airlines chapter 11 case
Creditors committee in MCorp chapter 11 case
Asbestos committee in Johns Manville chapter 11 case

PROFESSIONAL HISTORY – Private Practice:

1985-2012: Partner, Latham & Watkins LLP. 1985-2008: Global co-head of Insolvency Practice Group
1980-1985: Partner, Moses & Singer
1975-1980: Associate then partner, Cole & Deitz
1970-1973: Associate, Weil Gotshal & Manges

PROFESSIONAL HISTORY – Teaching:

1977-1990: Adjunct professor, New York University Law School (part time)
1975-1977: Adjunct professor, Rutgers University Law School (part time)
1973-1975: Assistant professor, Ohio State University School of Law (full time)

EDUCATION:

Harvard University (JD *cum laude* - 1970)
Columbia University (BA - 1967)

SELECTED AFFILIATIONS:

Member of panels of approved mediators, US Bankruptcy Courts for the Southern District of New York and the District of Delaware
Fellow, American College of Bankruptcy; Chair of the International Fellows Nominating Committee
Initial director, International Insolvency Institute
Former director, American Bankruptcy Institute
Official ABA advisor to the Uniform Fraudulent Transfer Act drafting project of the National Commission on Uniform State Laws
Former member, Bankruptcy Rules Committee for the District of Delaware

HONORS AND SELECTED RECOGNITIONS:

2009 recipient of the Lawrence P. King award of UJA Federation Bankruptcy and Reorganization Division
Best Lawyers in America, 2012 and prior editions
Recognition as one of Lawdragon's 500 Leading Lawyers in America
One of Global Counsel's 10 leading practitioners in restructuring and insolvency
One of world's 20 leading insolvency lawyers in Euromoney's Best of the Best
Recognition in Chambers Global, Chambers USA, Legal 500, Who's Who Legal, and PLC's Which Lawyer?
One of Turnaround and Workout's Outstanding Bankruptcy Lawyers in 2001, 2005 and 2007

SELECTED PUBLICATIONS:

Books:

Co-author of single volume treatise, *Collier Lending Transactions and the Bankruptcy Code*

Author of several chapters of *Collier Bankruptcy Practice Guide*

Co-author of *Collier Forms Manual* (2nd edition)

Articles:

Asset Sale Issues, Views From the Bench (2009-2011).

“Flip” Flap II, Uncertainty in Derivatives Markets Caused by the Lehman Bankruptcy Court’s Decisions Will Continue (February, 2011)

The “Flip” Flap, Lehman Bankruptcy Judge Invalidates Payment Priority Clause (May 2010)

Financing Reorganizations in an Illiquid Economy, International Insolvency Institute Conference (2010).

Material Adverse Change Clauses, Specific Enforcement of a Plan of Reorganization and Stay of Actions Against Non-Debtor Affiliates of a Debtor. *Globe Law and Business* (2009).

Restructuring and Insolvency: Time to Rebuild, Practical Law Company U.S. Special Report (2008).

Hedge Funds: The New Masters of the Bankruptcy Universe, *Norton Journal of Bankruptcy Law and Practice*, Vol. 17, No. 5, pp. 701-22 (2008).

Ad Hoc Committees and Other (Unofficial) Creditor Groups: Management, Disclosure and Ethical Issues, American Bankruptcy Institute, 26th Annual Spring Meeting (2008).

Recent Cases on Confirmation and Other Plan Issues, Views From the Bench (2007-2008).

United States entry in *The International Comparative Legal Guide to Securitisation* (2007), Global Legal Group (2007)