

Jonathan T. Edwards

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Jonathan Edwards is a partner with Alston & Bird's Financial Restructuring & Reorganization Group. He represents various clients in complex bankruptcy cases, workouts, debt restructurings, distressed acquisitions and dispositions, and commercial litigation.

Jonathan focuses his practice on assignments combining traditional restructuring advice with transactional and major litigation work. He represents purchasers, debtors, and other parties in bankruptcy sales; secured and unsecured creditors; CDO, CLO, CMBS, RMBS, and indenture trustees; CMBS master and special servicers and collateral managers; defendants in avoidance actions, including fraudulent transfer litigation nationwide; and other parties. He represents directors, officers, and others in complex bankruptcy and commercial litigation. Jonathan advises on bankruptcy structuring issues in leveraged finance, securitization, and structured finance transactions.

Jonathan was selected by his peers for inclusion in the 2019-2020 editions of *The Best Lawyers in America*® for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law. He was also on the American Bankruptcy Institute's 2018 "40 Under 40" list. Since 2015, Jonathan has been selected to the *Georgia Super Lawyers* "Rising Star" list, and in 2018-2019 was named in *Chambers USA* for Bankruptcy/Restructuring – Georgia. His article, "The Crossroads: The Intersection of State Law Remedies & Bankruptcy," is quoted by bankruptcy courts and *Collier Guide to Chapter 11: Key Topics and Selected Industries*. In 2017, Jonathan received M&A Advisor's Emerging Leaders Award for his contributions to the turnaround industry.

Representative Experience

- General outside counsel to one of the largest privately held roofing distributors in the Southeast.
- General outside bankruptcy counsel to a \$48 billion supply chain services leader that provides grocery, food service, and supply chain solutions for convenience stores, mass merchants, drug stores, and chain restaurants throughout the U.S.
- Representing one of the largest banks in the U.S., as indenture trustee, for three CLO funds owed approximately \$2.4 billion in cases pending in Delaware
- U.S. lead litigation counsel to a specialty, asset-based lender in cross-border claims litigation in connection with the failure of the Toronto branch of a multinational bank.
- General outside bankruptcy and creditors' rights counsel to a leading environmental testing company in the U.S.
- Lead bankruptcy counsel to a leading health care company in its distressed acquisition of Hutcheson Medical Center, a Georgia-based hospital.
- Lead bankruptcy counsel to one of the largest automotive parts distributors on the East Coast in connection with its distressed acquisition of substantially all the assets of Johnson Industries Inc., an Atlanta-based automotive parts distributor.

- Represented a special servicer in connection with a \$85 million credit lease obligation in the Nortel U.S. and Canadian bankruptcy proceedings.
- Represented several CDO collateral managers, CDO trustees, and indenture trustees in trust-preferred securities issuances involving numerous bank and non-bank holding companies, including representing the collateral manager in prosecuting \$80 million in claims against a borrower in the New York Supreme Court, Commercial Division.
- Represented the U.S. subsidiary of a large yacht manufacturer located in the UK in connection with its Chapter 11 involuntary bankruptcy case.
- Counsel to one of the largest swine producers in Georgia in connection with its restructuring.
- Represented a UK pension fund regarding commercial litigation against a U.S.-based guarantor.
- U.S. counsel to British Virgin Islands liquidators in connection with several BVI fund liquidations.
- Appellate counsel to a special servicer before the Georgia Court of Appeals.
- Defended numerous avoidance actions (e.g., preferences, fraudulent transfer under the Bankruptcy Code and state law).
- Represented a global mobile phone manufacturer in the Eastman Kodak bankruptcy in connection with protection of its intellectual property rights and in connection with a Section 363 sale of over 6,000 patents in the Nortel bankruptcy and the protection of its intellectual property rights.
- Represented several high-net-worth investors in connection with fraudulent transfer claims alleged by a Chapter 7 trustee.
- Representing a large regional bank in connection with multiple real estate bankruptcies and workouts across the U.S.
- Represented the special servicer of a CMBS loan in Delaware with claims exceeding \$160 million.
- Representing the trustees of a bank holding company in connection with tax refund litigation.
- Represented a secured lender in proposing and confirming two Chapter 11 creditor plans for a three-course, championship 54-hole golf complex and country club.
- Represented a German purchaser in connection with a Section 363 patent sale in the Moll Industries bankruptcy.
- Represented a publicly traded pharmaceutical company in its Chapter 11 case in the District of Delaware.
- Representing multiple financial institutions in connection with secured real estate transactions.
- Counsel to directors and officers in pending litigation concerning director and officer and avoidance claims.

Publications & Presentations

Publications

- "Restaurant Loan-to-Own 101," *QSR Magazine*, December 2018.
- "Charlotte Russe Restructuring: Turnaround Blueprint or Retail Anomaly?" *Chain Store Age*, April 2, 2018.
- "Healthcare Providers: Financial Distress Isn't Going Away," *Becker's Hospital Review*, October 19, 2017.
- "Involuntary Bankruptcies: The Basics and Recent Developments," *The Review of Banking & Financial Services*, Vol.33 No. 10, January 2017.

- “Understanding the Structure of Mezzanine Debt Generally,” Lexis Practice Advisor, July 2014.
- “Recent Developments in Chapter 11,” *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2014.
- “Valuing Contingent or Disputed Assets and Liabilities in Solvency Opinions,” *The Review of Banking & Financial Services*, Vol. 30, No. 5, May 2014.
- “A Must-Read for 'Repo' Counterparties,” *Law360*, April 19, 2013.
- “Recent Developments in Chapter 11,” *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2013.
- “Recent Developments in Chapter 11,” *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2012.
- “Interpreting Section 546(e) Safe Harbor Post-Enron,” *Law360*, September 20, 2011.
- “Secured Lenders: How Adequate Is Your Protection?” *Norton Journal of Bankruptcy Law & Practice*, Vol. 20, No. 4, August 2011.
- “Recent Developments in Chapter 11,” *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2010.
- “The Intersection of FIRREA and Bankruptcy Law,” *Pratt’s Journal of Bankruptcy Law*, Vol. 6, No. 5, July/August 2010.

Professional & Community Engagement

- American Bankruptcy Institute
- Turnaround Management Association, board
- CFA Institute’s Claritas® Investment Certificate

Education

- Mercer University (J.D., 2008)
- Georgia State University (B.B.A., 2005)

Admitted to Practice

- Georgia
- New York

Related Services

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