



## Dennis J. Shaffer

PARTNER

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### BALTIMORE

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## BIOGRAPHY

Mr. Shaffer is a partner in the firm's Business Reorganization & Bankruptcy Section, with significant experience representing clients in distressed debt and restructuring situations, including related litigation.

Mr. Shaffer's experience includes representing debtors, creditors, creditors' committees, trustees and plan administrators in all phases of bankruptcy cases and insolvency related matters, including complex restructurings. Mr. Shaffer's representative clients include companies of various sizes - from small closely-held companies to large companies with public debt and/or equity, creditors' committees, trustees and individuals.

## RECOGNITIONS

- AV Peer Review Rated: Martindale-Hubbell
- Listed in *Best Lawyers in America* in practice area of Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2012 - present

## MEMBERSHIPS & ACTIVITIES

## PRACTICES & INDUSTRIES

**Business Reorganizations and Bankruptcy**

**Chapter 11 Reorganizations**

**Insolvency Litigation**

**Creditors' Committee Representation**

**Creditors' Rights**

**Trustee and Receiver Representations**

**Loan Workouts and Pre-Bankruptcy Planning**

## EDUCATION

University of Baltimore, 1999,  
M.B.A.

University of Baltimore School of Law, 1998, J.D., magna cum laude

University of Baltimore, 1996,  
B.S., magna cum laude

## ADMISSIONS

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Maryland

U.S. District Court: District of Maryland

U.S. District Court: Western District of Pennsylvania

- Member: Maryland State Bar Association
- Member: American Bar Association
- Member: Maryland Bankruptcy Bar Association
- Member: American Bankruptcy Institute
- Member: Turnaround Management Association
- Judicial Clerk: Hon. Christian M. Kahl; Circuit Court of Maryland for Baltimore County (1998-1999)

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## BUSINESS REORGANIZATION AND BANKRUPTCY

Mr. Shaffer has significant experience in representing debtors, trustees and plan administrators, individual

creditors and creditors' committees in all aspects of Chapter 11, Chapter 7 and related proceedings, in various industries, including hospitality, energy, real estate, retail and transportation. His experience also includes advising clients with respect to out-of-court workouts, preparation for filing bankruptcy under both Chapter 7 and Chapter 11 of the Bankruptcy Code, working through the bankruptcy process as a debtor or creditor, liquidation of assets, recovery of assets, and complex litigation arising out of the bankruptcy process.

## CHAPTER 11 REORGANIZATIONS AND BANKRUPTCY LITIGATION

Mr. Shaffer has significant experience in representing corporate debtors in Chapter 11 proceedings, from small privately held companies to large publicly traded companies, in a variety of industries. His experience includes representing debtors in bankruptcy courts in Delaware, Maryland and the District of Columbia. Sample representations include:

- Debtors' counsel in Chapter 11 reorganization case in Maryland of multibillion-dollar energy company that focused on power generation and natural gas transmission in North America
- Debtors' counsel in chapter 11 reorganization case in the District of Delaware of an energy company
- Debtors' counsel in chapter 11 reorganization case in the District of Delaware of one of the premier office buildings in Little Rock, Arkansas

- Debtors' counsel to tenant-owned property association in Chapter 11 case in the District of Maryland
- Debtor's counsel in Chapter 11 reorganization case in the District of Columbia of specialty retailer
- Debtors' counsel in Chapter 11 case in District of Maryland of publicly traded company in reorganization of what was at the time North America's leading audio-visual integration company
- Debtors' counsel in Chapter 11 case in District of Maryland of publicly-traded company in reorganization of then the world's largest timeshare resort company with over \$1 billion in assets and resort locations around the world
- Debtors' counsel in Chapter 11 case in Maryland of publicly traded railroad construction company with over \$500 million in assets
- Debtors' counsel in Chapter 11 case in Maryland of a chain of 200 nursery and craft stores with over \$400 million in annual sales

## **CREDITORS' COMMITTEE REPRESENTATIONS AND CREDITORS' RIGHTS & PREFERENCE DEFENSE**

Mr. Shaffer has represented creditors' committees in Chapter 11 proceedings in various jurisdictions, as well as individual creditors, both secured and unsecured, in chapter 11 and chapter 7 proceedings. His experience also includes the representation of individual creditors in defending preference and other avoidance actions. Sample representations include:

- Counsel to Official Committee of Unsecured Creditors in Chapter 11 case in the District of Delaware of a commercial laundry operator
- Counsel to Official Committee of Unsecured Creditors in Chapter 11 case in the District of Delaware of a nautical service company
- Counsel to member of Official Committee of Unsecured Creditors in Chapter 11 case in the District of Delaware of a national retailer
- Counsel to international fast casual dining franchisor and affiliates in the Chapter 11 reorganization case in the District of Maryland
- Counsel to member of Official Committee of Unsecured Creditors in Chapter 11 case in the Southern District of New York of a cellular phone services provider that owns certain broad-band spectrum and a satellite
- Counsel to member of Official Committee of Unsecured Creditors in Chapter 11 case in the Southern District of New York of petroleum company
- Counsel to international fast casual dining franchisor and affiliates in the

Chapter 11 reorganization case of a franchisee in the Central District of California

- Counsel to unsecured creditor with multi-million dollar claims in Chapter 11 case in the Southern District of New York of financial company
- Committee Counsel in Chapter 11 case in the Middle District of North Carolina of convenience store chain of over 600 locations in South Eastern United States
- Counsel to secured creditor in Chapter 11 case involving the reorganization of debtor and sale of various real estate holdings in the District of Maryland

## **BANKRUPTCY TRUSTEE REPRESENTATION**

Mr. Shaffer has represented litigation and chapter 7 trustees and plan administrators in a variety of matters including the prosecution of avoidance actions and claims objections, and the winding up of bankruptcy estates and trusts for the benefit of creditors. Mr. Shaffer has also served as the chairman of a trust advisory board and as a plan administrator. Sample representations include:

- Counsel to Chapter 7 trustee in bankruptcy case of a convention planning company in the Middle District of Florida
- Chairman of Trust Advisory Board established in bankruptcy case of telecommunications debtor in the Southern District of New York
- Counsel to Plan Administrator of estates of various affiliated debtors in the energy industry related to complex claims objections and litigation, arbitration matters, preference litigation and negotiation in the District of Maryland
- Counsel to Trustee for litigation trust in an airline service company, prosecuting various avoidance actions and assisting in the making of distributions to several hundred creditors
- Counsel to Chapter 7 Trustee in case involving the investigation of fraud claims and liquidation of estates of stock brokerage firm and its principal
- Counsel to creditors reserve trust established in a chapter 7 liquidation of a shoe manufacturer to investigate and prosecute hundreds of preference and fraudulent conveyance claims

## **LOAN WORKOUTS, RECEIVERSHIPS AND OUT OF COURT FINANCIAL RESTRUCTURING**

In addition to bankruptcy representations, Mr. Shaffer also has experience in

representing debtors in loan workouts with financial institutions, including negotiating and documenting forbearance agreements. His experience also includes assisting clients with the restructuring of their debt obligations outside of the bankruptcy process or a formal state proceeding. Mr. Shaffer has also represented creditors in receivership cases.

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## **PRESENTATIONS & PUBLICATIONS**

Speaker: "Arbitration in Bankruptcy: Enforceability of Arbitration Provisions in Bankruptcy Cases," Maryland Bankruptcy Bar Association, February 27, 2019

Co-Author: "Problems in the Code: The 'Substantial Contribution' Test for Indenture Trustees," ABI Journal, February 2019

Lecturer on various bankruptcy issues- Building in Tough Times: Strategies for Today's Uncertain Real Estate and Construction Market (November, 2008)