

Dennis J. Connolly

Partner

+1 404 881 7269

dennis.connolly@alston.com

Atlanta | One Atlantic Center, 1201 West Peachtree Street, Suite 4900 | Atlanta, GA 30309-3424

New York | 90 Park Avenue, 15th Floor | New York, NY 10016-1387



Dennis Connolly's primary practice is the representation of debtors and creditors' committees in large Chapter 11 bankruptcy cases. He has been involved in national cases in a number of different industries, including manufacturing, transportation, finance, defense contracting, and space and technology. He has appeared in Alabama, California, Delaware, Florida, Georgia, Louisiana, New York, North Carolina, Ohio, South Carolina, Texas, and West Virginia courts.

Dennis has represented parties in interest in major Chapter 11 cases, including Delta Air Lines, Refco Inc., Enron Corp., Zale Corporation, Einstein Noah Restaurant Group Inc., AmeriServe, and Winn-Dixie. He is a Fellow and a director of the American College of Bankruptcy and a director of the Southeastern Bankruptcy Law Institute. He has been selected as a leading practitioner by *Chambers USA* and listed in *Super Lawyers* magazine, where he was named to the "Top 100: 2014–2016 Georgia Super Lawyers Top List." He was also named Lawyer of the Year in Litigation – Bankruptcy (Atlanta) for 2018 and 2020 and in Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (Atlanta) for 2014 and 2020 by *The Best Lawyers in America*®.

He has been actively involved in the bank crisis, representing bank holding companies and their directors and officers in litigation with bankruptcy trustees. He has represented purchasers of assets in cases nationwide.

Representative Experience

- Representing Navicent Health in the acquisition of certain assets of the Oconee Regional Medical Center in Oconee's bankruptcy case pending in the Middle District of Georgia.
- Representing MEAG in the bankruptcy case of Westinghouse Electric pending in the Southern District of New York.
- Represented Granges AB, a multinational aluminum company, in acquiring three rolling mills out of the Noranda bankruptcy case in the Eastern District of Missouri.
- Appointed trustee for American Spectrum Realty in its case pending in the Central District of California.
- Represented Alabama Aircraft Industries, a defense contractor, in its Chapter 11 proceedings in Wilmington, Delaware.
- Represented the directors and officers of Beach First National Bancshares, a bank holding company, in obtaining dismissal on standing grounds and obtaining affirmance of the district court ruling in the Fourth Circuit.
- Represented the directors and officers of Integrity Bancshares, a failed bank holding company, in obtaining dismissal of all claims on standing grounds and obtaining affirmance of the district court ruling in the Eleventh Circuit.
- Represented Sea Launch LLC, a major satellite launch company, as a Chapter 11 debtor in a case in Wilmington, Delaware.

- Acted as counsel to the official committee of unsecured creditors of Cornerstone Ministries Investments, a large nonbank financial institution, in its bankruptcy case in the Northern District of Georgia.
- Acted as trustee (and plan administrator) in the SonicBlue matter, a large Chapter 11 case in San Jose, California.
- Represented HomeBanc, a large mortgage company, as a Chapter 11 debtor in a case in Wilmington, Delaware.
- Represented Cadence Innovation in pursuing a significant patent claim against Delphi in its bankruptcy case in the Southern District of New York.
- Represented hedge funds and other entities that deposited assets with affiliates of Refco Capital Markets in that company's bankruptcy case in the Southern District of New York.
- Involved in the representation of a major airline as special counsel for pension plan and employee benefit issues in the airline's bankruptcy case in the Southern District of New York.
- Served as co-counsel for Galey & Lord, a global textile supplier, and its affiliates in their bankruptcy cases in the U.S. Bankruptcy Court for the Northern District of Georgia.
- Served as co-counsel to the ad hoc committee of the holders of senior secured notes in the Chapter 11 bankruptcy case of O'Sullivan Industries, a major manufacturer of ready-to-assemble furniture, in the Northern District of Georgia.
- Served as co-counsel for the official committee of unsecured creditors in the cases of Dan River Mills, a leading manufacturer of textile products, and its affiliates in the U.S. Bankruptcy Court for the Northern District of Georgia.
- Served as co-counsel to the debtor in the bankruptcy case of Paragon Trade Brands, a leading manufacturer of private-label disposable diapers, in the U.S. Bankruptcy Court for the Northern District of Georgia.
- Served as counsel for the official committee of unsecured creditors in the bankruptcy cases of Einstein Noah Restaurant Group, a leading chain of retail bagel stores, and its affiliated debtors in the U.S. Bankruptcy Court for the District of Arizona.
- Served as counsel to LaRoche Industries, a national chemical manufacturer, in its Chapter 11 case in Wilmington, Delaware.
- Served as counsel to the official committee of unsecured creditors in the bankruptcy case of Builders Transportation Co., a major regional transportation company, and its affiliated debtors in the U.S. Bankruptcy Court for the Northern District of Georgia.
- Represented the Enron Corp. Examiner in all aspects of the examination, including litigation involving discovery, disputes relating to the scope of the examination, fee applications, and other matters involving the investigation.
- Represented creditors, purchasers, and other parties in interest in a number of cases throughout the U.S., including companies in the grocery, food services, air transportation, electronics, and automotive supply industries.
- Involved in representing parties with claims against the FDIC and/or the RTC as the receiver for insolvent financial institutions throughout the Southeast.

Publications & Presentations

Publications

- “Current Approaches to Substantive Consolidation,” in *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2019.
- “Process Issues Involved in the Interrelation Between Bankruptcy Examiner Investigations and Governmental Investigations,” in *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2017.
- “The Issue is Moot. Or is it? Rethinking the Application of Equitable Mootness to Bankruptcy Appeals,” in *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2016.
- “Arriving at *Arkison* and *Wellness*: Making Sense of the Procedural Quagmire After the Supreme Court’s Rulings on Bankruptcy Court Jurisdiction and Authority,” in *Norton Annual Survey of Bankruptcy Law*, Thomson Reuters, 2015.
- “Wellness: Is Consent the Cure?,” *ABI Journal*, Vol. 34, No. 8, August 2015.
- “Arriving at *Arkison* and *Wellness*: Making Sense of the Procedural Quagmire after the Supreme Court’s Rulings on Bankruptcy Court Jurisdiction and Authority,” *Norton Annual Survey of Bankruptcy Law*, 2015.
- “Plan Drafting Issues in Connection with Post-Confirmation Litigation of Claims by Estate Fiduciaries,” *Norton Annual Survey of Bankruptcy Law*, 2014.
- “The Contractual Right of Triangular Setoff in Bankruptcy Proceedings: Issues and Alternatives,” *Norton Annual Survey of Bankruptcy Law*, 2013.
- “Best Practices Report on Electronic Discovery (ESI) Issues in Bankruptcy Cases,” *The Business Lawyer*, Vol. 68, Issue 4, August 2013.
- “Recent Developments with Respect to the ‘Safe Harbors’ for Swaps and Repo Agreements,” *Norton Annual Survey of Bankruptcy Law*, 2011.

Professional & Community Engagement

- American College of Bankruptcy, fellow and former director
- Southeastern Bankruptcy Law Institute, past chair; current director
- ABI/Tulane (Emory) University School of Law Bankruptcy Litigation Skills Program, former advisory board
- Atlanta Bar Association, Bankruptcy Section, past chair of board of directors

Accolades

- Listed in *The Best Lawyers in America* in Bankruptcy and Creditor-Debtor Rights Law, 2005–2020 editions; Lawyer of the Year in Litigation – Bankruptcy (Atlanta) for 2018 and 2020 and in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (Atlanta) for 2014 and 2018
- Selected as a leading insolvency practitioner by *Chambers USA*, 2003–2021
- Noted as a “Georgia Super Lawyer” in *Atlanta* magazine, 2004-2019 editions (Top 100 Lawyers in Georgia, 2013–2016)
- Listed in *Lawdragon* 500 Leading U.S. Bankruptcy & Restructuring Lawyers, 2020, 2022
- Listed in the Guide to the World’s Leading Insolvency and Restructuring Lawyers, 2006–2018
- Listed in *Who’s Who Legal: USA*, 2019-2020
- Listed in *Georgia Trend’s* Legal Elite, 2006–2019

Education

- University of South Carolina (J.D., 1986)
- University of Michigan (B.A., 1982)

Admitted to Practice

- New York
- Georgia

Related Services

Financial Restructuring & Reorganization | Commercial | Litigation | Financial Services & Products | Derivatives & Structured Products | Alternative Investments | Private Equity | REITs & Funds | Corporate & Business Transactions