

## Gerard S. Catalanello

Partner

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Gerard Catalanello is chair of Alston & Bird's Financial Restructuring & Reorganization Group. He focuses his practice on bankruptcy and creditors' rights law. He represents lenders, funds, financial institutions, liquidation trusts, equity holders, debtors, indenture trustees, and acquirers of assets of troubled companies in formal bankruptcy proceedings as well as in out-of-court workouts.

Gerard has served as counsel to official committees of unsecured creditors in a wide variety of Chapter 11 cases and has represented several institutions in negotiating and selling millions of dollars of claims in major Chapter 11 cases. He has represented liquidation and creditor trusts in analyzing and prosecuting Chapter 5 causes of actions, including fraudulent conveyance and preferences claims under confirmed Chapter 11 plans of liquidation. Gerard was named to *The Best Lawyers in America*® for 2023 in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization.

### **Representative Experience**

- Representing the Court Appointed German Insolvency Administrator of Greensill Bank (AG) with certain investments and other interests Greensill Bank (AG) has in the United States and in Europe.
- Representing Qatar Airways and its subsidiary, Qatar Airways Investments (UK) Ltd., in negotiating and documenting a \$1.150 billion DIP loan to LATAM Airlines Group S.A., Latin America's leading airline group currently operating in Chapter 11 in the U.S. Bankruptcy Court for the Southern District of New York, and handling all litigation related to objections to the facility filed by various stakeholders, including the Official Committee of Unsecured Creditors and the Ad Hoc Bondholder Committee.
- Represented a New York City real estate owner and developer in the acquisition of mortgage loans and a DIP facility totaling approximately \$50 million, and utilizing those loans to acquire title to the debtor's building through a Chapter 11 free and clear sale in the U.S. Bankruptcy Court for the Southern District of New York.
- Representing the Il Mulino Restaurant Group, one of the country's premier Italian luxury dining restaurant brands, in its ongoing Chapter 11 proceedings in the U.S. Bankruptcy Court for the Southern District of New York.
- Represented Credit Suisse as administrative agent and lead lender in a \$1.9 billion DIP loan to Chapter 11 debtor Walter Investment Management Corp.
- Representing a lead lender in the Chapter 11 case of National Events of America, Inc., one of the largest independent ticket brokerage businesses, in a DIP loan used to fund a massive fraud investigation into the company's pre-bankruptcy business affairs and transactions.
- Represented a private equity fund in connection with the prosecution and settlement of objections to the Chapter 11 plan of reorganization of Overseas Shipholding Group, Inc., one of the largest U.S. tanker operators.

- Special counsel to Chemtura Corporation, one of the largest publicly traded specialty chemical companies in the U.S. with a market valuation of over \$2 billion, in its Chapter 11 proceedings, leading to the confirmation of a Chapter 11 plan of reorganization that resulted in creditors receiving 100% on account of their claims.
- Represented Wilmington Trust, as indenture trustee, in connection with the Chapter 11 case of the bank holding company Stonebridge Financial Corp.
- Represented a plan sponsor group in the negotiation and prosecution of a Chapter 11 plan of reorganization of the New York City Opera Inc. (NYCO) through trial, leading to NYCO's successful emergence from bankruptcy.
- Represented the GFGI Liquidation Trust created under the Chapter 11 plan of liquidation of Guaranty Holdings Inc. in connection with the Trust's pursuit and settlement of claims arising from the collapse of the bank holding company that resulted in a distribution to creditors of approximately \$300 million.
- Counsel to a special servicer in connection with the foreclosure and sale of a 1,000,000 plus square foot shopping mall in Pennsylvania, and related state court appellate litigation.
- Counsel to the official committee of unsecured creditors in the Orleans Homebuilders Inc. Chapter 11 proceedings involving one of the largest and oldest residential builders in the Northeast.
- Represented Sleepy's LLC in its winning bid to acquire 100 percent of the membership interests in Mattress Discounters Group LLC, an 80-store mattress chain in Virginia.
- Represented Sleepy's LLC in connection with its DIP loan to, and acquisition of, Chapter 11 debtor 1-800 Mattress as part of a contested section 363 sale process.
- Counsel to Taberna Capital Management, a CDO manager, as a member of the official committee of unsecured creditors in the Tarragon Corporation Chapter 11 proceedings involving a publicly traded residential real estate developer with assets of approximately \$1 billion.
- Counsel to Taberna Capital Management, a CDO manager, as a member of the official committee of unsecured creditors in the General Growth Properties Inc. Chapter 11 proceedings involving one of the largest mall owners and operators in the U.S.
- Counsel to the secured lender in a multimillion-dollar contested confirmation hearing concerning a retail shopping center in upstate New York.
- Counsel to Devon Mobile Communications LP, an owner and operator of PCS licenses throughout the Northeast, in the sale of substantially all of its assets (licenses and telcom infrastructure) to major telecommunications companies under a Chapter 11 plan of liquidation.
- Counsel to the former Chief Executive Officer and Chairman of the Board of Chapter 11 debtor Personal Communications Devices, LLC in connection with the litigation and settlement of claims and counterclaims in excess of \$150 million.
- Counsel to certain members of the Rigas family, founders of Adelphia Communications Corp., in their defense of claims and actions totalling more than \$3 billion brought by the Adelphia bankruptcy estate, including the negotiation of a tripartite agreement among the Rigas family, the Department of Justice and the Adelphia bankruptcy estate for the establishment of a \$750 million fund.
- Counsel to ICC Industries, Inc. in the Chapter 11 restructuring of Pharmaceutical Formulations, Inc., a publicly traded subsidiary that manufactured and distributed over-the-counter generic pharmaceuticals.

## ***Publications & Presentations***

### ***News Items***

- *Global Legal Chronicle* | Alpha Holdings, Inc. v. OncoSec Medical Incorporated, et al. | March 17, 2020  
Brett Jaffe, Joe Tully, Matt Mamak, Dennis Garris, Dave Brown, Mark McElreath, James Sullivan, Gerard Catalanello, Jim Vincequerra, Bryan Skelton, and Gidon Caine are noted for successfully representing OncoSec Medical Inc. in a putative shareholder class action.

### ***Publications***

- “Private Student Loan Debt and the Exception to Discharge As Viewed Through the Eyes of the Circuit Courts,” *LAW.COM*, May 10, 2022.
- “What a Post-COVID-19 World: Debtors’ Extraordinary Responses to COVID-19,” *The Bankruptcy Strategist*, Law Journal Newsletters, Vol. 38, No. 5, March 2021.
- “Some Pointers for Stressed and Distressed Charitable Orgs,” *Law360*, February 15, 2018.

## ***Professional & Community Engagement***

- American Bar Association
- New York State Bar Association

## ***Education***

- Fordham University (LL.M., 1996)
- Touro College (J.D., 1992)
- Adelphi University (B.A., 1989)

## ***Admitted to Practice***

- New York
- New Jersey

## ***Related Services***

Financial Restructuring & Reorganization | Distressed Debt & Claims Trading | Retail