

## Grant T. Stein

### Senior Counsel

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Grant Stein is a senior partner with Alston & Bird's Financial Restructuring & Reorganization Group. His diverse practice includes representing debtors, fiduciaries, secured and unsecured creditors, and asset purchasers in complex and difficult out-of-court debt restructurings, bankruptcy cases, and financial transactions throughout the U.S. and internationally. He regularly represents officers, directors, and other parties in insolvency-related litigation of all kinds. His restructuring experience includes health care, manufacturing, real estate, wholesale, retail, aviation, communications, technology, and intellectual property issues, and he has done substantial work in receiverships and assignments for the benefit of creditors.

Grant is a Fellow of the American College of Bankruptcy and currently is a vice president of the College. He is a past president of the Association of Insolvency and Restructuring Advisors and the Southeastern Bankruptcy Law Institute, and is currently serving as master of the bench and counselor for the Drake Georgia Bankruptcy American Inn of Court. He is identified as a top practitioner in *Chambers USA: America's Leading Lawyers for Business* and has been listed by *Best Lawyers*® since 1999 and *Super Lawyers* magazine since 2004.

Grant served as law clerk to The Honorable W. Homer Drake, has written numerous articles, and regularly lectures around the country.

#### **Representative Experience**

- Debtor's counsel to a hospital in its Chapter 11 case, resulting in the sale of the debtor and resolution of a complex WARN Act class action through a plan settlement directly to the claimants.
- Counsel to acquirers of health care businesses and to sellers of hospitals.
- Counsel in numerous past and pending bankruptcy suits and investigations dealing with director and officer claims, avoidable transfers, and Barton doctrine issues and in the liquidation of a private equity fund.
- Debtor's counsel to a manufacturing company in its financial restructuring and Chapter 11 case, resulting in the sale and survival of the debtor.
- Counsel to shopping center developers dealing with hundreds of millions of dollars of debt with numerous lenders and complex joint venture structures restructured out of court.
- Counsel to home builders dealing with hundreds of millions of dollars of debt with numerous lenders restructured out of court.
- Counsel to senior lenders in real estate workouts, foreclosures, and bankruptcies, including a major lender on its \$1.2 billion in claims resolved in the General Growth bankruptcy case.
- Bankruptcy litigation counsel for a national company in parallel bankruptcy and district court litigation concerning bankruptcy plan confirmation and lender liability issues.

- Counsel to a Chapter 11 trustee in an investigation that led to bringing claims for breach of fiduciary duty and violations of bankruptcy disclosure requirements and confirming a plan that generated general unsecured creditors' recovery of 47 percent of their claims.
- Counsel on several different commercial fraud cases dealing with more than \$200 million in embezzled funds and Ponzi schemes.
- Counsel on confidential internal investigations.
- Counsel dealing with RMBS issues.
- Counsel for a major unsecured creditor on the resolution of its \$89 million claim and related litigation issues in a large national bankruptcy case.
- Bankruptcy counsel to a purchaser on the \$379 million portion of a consortium bid in the acquisition of a portion of the assets of a bankruptcy estate in a large national bankruptcy case.
- Debtor's counsel for a 400-store retail chain, which had more than \$80 million in debt and operations in 10 states. Completed a sale of assets in less than two months under Section 363 of the Bankruptcy Code, with proceeds sufficient to pay the secured creditors in full. Distributions to unsecured creditors exceeded 45 cents on the dollar. Also handled the commercial real property lease assumption issues on more than 400 leases and the claims resolution process (addressing more than 3,500 claims) and preference litigation.
- Debtor's counsel for a national advertising company with more than \$140 million in debt and more than 7,000 nonresidential real property leases, which utilized Chapter 11 to repay all secured creditors and convert public bond debt to equity in a reorganized company.
- Debtor's counsel in the Chapter 11 case of a manufacturer in which the debtor was sold as a going concern, with a complete return to secured creditors, with a plan subsequently confirmed.
- Lead bankruptcy counsel on a \$9 billion private structured finance transaction.
- Counsel to national distributors in multimillion-dollar claims against, and settlements with, national retailers in their bankruptcy cases.
- Appellate counsel in obtaining the reversal of adverse determinations in complex cases before the Sixth and Eleventh Circuits.
- Counsel for contract parties in airline bankruptcy cases.

## ***Publications & Presentations***

### ***Publications***

- "With WARN Act and Bankruptcy, Better Think Inside the Box," *Law360*, March 13, 2019.
- "Bankruptcy Court Jurisdiction Raises Constitutional Questions with Economic Consequences," *ABL Advisor*, September 1, 2015.
- "Wellness v. Sharif Raises a \$920M Question," *Law360*, June 5, 2015.
- "The Continuing Evolution of the Basis for Equitable Subordination," *The Bankruptcy Strategist*, September 2014.
- "Where Will *Stern v. Marshall* End Up? – *Arkison* Is Not the Final Word," *AIRA Journal*, Vol. 28, No. 3. Summer 2014.

### ***Presentations***

- “ADR, Arbitration and Mediation in Chapter 11,” ABI Midwest Regional Bankruptcy Seminar, Cincinnati, OH, August 22-23, 2018.

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

- American College of Bankruptcy, Fellow and vice president; board of regents (2007–2011)
- W. Homer Drake, Jr., Georgia Bankruptcy American Inn of Court, Master of the Bench and Counselor of the Inn
- Association of Insolvency & Restructuring Advisors (AIRA), director and former chair and president
- Southeastern Bankruptcy Law Institute, director and former chair and president

### ***Education***

- University of Georgia (J.D., 1981)
- Emory University (B.B.A., 1978)

### ***Admitted to Practice***

- Georgia

### ***Related Services***

Financial Restructuring & Reorganization | Litigation | Commercial | Mergers & Acquisitions | Corporate & Business Transactions | Enforcement, Workouts & Foreclosures | Bankruptcy Litigation | Bankruptcy Transactions | Retail