



Matthew K. Kelsey

Partner

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Related Services

Financial Restructuring & Reorganization ■ Private Credit ■ Corporate Debt Finance ■ Contingent Risk Insurance

Matthew K. Kelsey is a partner with Alston & Bird's Financial Restructuring & Reorganization Group. He focuses his practice on complex in-court and out-of-court Chapter 11 matters for ad hoc creditor groups, financial institutions, agents and trustees, official committees, and debtors. Matthew provides distressed-investing advice to investment firms, hedge funds, and other financial institutions. He works in a variety of industries, including real estate, retail, pharmaceutical, infrastructure, finance, shipping, and construction sectors.

Matthew has been listed a leading restructuring lawyer in *Chambers USA* and the *International Financial Law Review*. Matthew led the Brookstone Holdings Chapter 11 matter, recognized by *The Deal* as the 2019 "Restructuring Deal of the Year." He was also nationally recognized as one of 12 "Outstanding Young Restructuring Lawyers" in 2011 by *Turnaround & Workouts Magazine*.

Matthew earned his J.D., with honors, from Rutgers University, where he was inducted into the Order of the Coif and was the recipient of the American Bankruptcy Institute's Medal of Excellence. He received his B.A. from Thomas Aquinas College.

Representative Experience

Creditor/Stakeholder Representations

- Represented a global real estate investment firm several distressed loan acquisitions, UCC foreclosures and commercial property Chapter 11 cases.
- Represented a large commercial real estate credit REIT in luxury hotel Chapter 11 case.
- Represented a large commercial real estate investor in luxury hotel Chapter 11 case.
- Represented an ad hoc group of holders of claims trades in public utility Chapter 11 case.
- Represented the official committee of equity security holders in a pharmaceutical Chapter 11 case.
- Represented one of the largest construction companies in the United States in a pipeline construction company's Chapter 11 case.
- Represented a multinational investment bank in a municipal hospital Chapter 9 case.
- Represented a real estate investment and management company in numerous retail Chapter 11 cases.
- Represented a commercial real estate lender in an out-of-court restructuring of a hotel and casino.

- Represented a U.S.-based multinational investment bank in connection with litigation relating to post-petition interest entitlements under ISDA Master Agreements.
- Represented a distressed investor in connection with restructuring its first lien loan in a real estate development Chapter 11 case.
- Represented an affiliate of an investment firm as the DIP lender to a grocery chain.
- Represented a holding company in connection with the dismissal of a bankruptcy case of a pharmaceutical development company.
- Represented a multinational software company in litigation over the attempted sale in Chapter 11 by a patent troll of its patent portfolio.
- Represented the agent and steering committee of first-lien lenders in an out-of-court restructuring of a manufacturer of waste containers.
- Represented a multibillion-dollar private investment firm, as the lender, in the restructuring of an IT logistics company for travel companies.
- Represented the indenture trustee of \$800 million of leveraged lease rail car financings in a collective investment trust in a financial institution.

Distressed M&A and Investing Advice

- Represented large real estate investment fund in the acquisition of over 50 hotels out of receiverships pending in over 20 states.
- Represented a New York property management firm in its acquisition of an upscale hotel in the Hudson Valley.
- Represented a leading lifestyle brand in the auction of certain assets of a children's clothing store.
- Represented a real estate investment trust in its acquisition of properties in a skilled nursing care facilities bankruptcy.
- Represented a multinational investment bank in the acquisition of subrogation claims in the Chapter 11 case of a gas and electric provider.
- Represented a global alternative asset manager in the auction of certain assets of a wholesale grocery provider.
- Represented a private equity firm in the auction of the assets of a prominent U.S. silversmith manufacturer.
- Represented a real-estate-focused private investment firm and a U.S.-based global asset management firm in the auction for a mixed-use complex in Florida.
- Represented a leading Silicon Valley technology provider in its acquisition of intellectual property assets of a semiconductor provider.
- Represented a hedge fund in its acquisition of a large real estate developer with offices in California, Arizona, and Nevada.
- Represented an investment banking firm in the auction to acquire a hotel chain.

Debtor Representations

- Represented a consumer brand portfolio company in its Chapter 11 case.
- Represented a hardwood lumber manufacturer in its Chapter 11 case.
- Represented a oil and gas exploration and production company in its Chapter 11 case.

- Represented a French film production and distribution company in its Chapter 15 case.
- Represented a specialty electronics retailer in its Chapter 11 case.
- Represented a privately-operated toll road in its Chapter 11 case.
- Represented a Bahraini private equity firm in its Chapter 11 case.
- Represented a producer of premium specialty alumina in its Chapter 11 case.
- Represented a Swiss subsidiary of a global financial services firm in a Chapter 15 case, liquidation proceedings in Switzerland, and \$12.5 billion claim against its parent company.

Publications & Presentations

Publications

- “The Effect of Cross-Border Restructuring Convergence on Future International Restructurings,” *Turnaround Management Association*, November 2022.

Presentations

- “Special Purpose Entities in Real Estate Transactions: Structuring and Documentation,” Stratford webinar, November 26, 2019., November 26, 2019.

Professional & Community Engagement

- Catholic Renewal Sponsorship Committee
- Cardinal Kung Academy (Stamford, CT), board of directors

Education

- Rutgers University (J.D., 2000)
- Thomas Aquinas College (B.A., 1995)

Admitted to Practice

- New York