



David J. McCarty

Partner

Los Angeles
333 South Hope Street
Forty-Third Floor
Los Angeles , CA 90071

Orange County
650 Town Center Drive
Fourth Floor
Costa Mesa , CA 92626

Tel: 213.617.4171
Fax: 213.620.1398
dmccarty@sheppardmullin.com

PRACTICE AREAS

- Bankruptcy and Restructuring

INDUSTRIES

- Commercial Mortgage Backed Securities ("CMBS")
- Financial Services
- Food and Beverage

OVERVIEW

David J. McCarty is a partner in the Finance and Bankruptcy Practice Group.

Areas of Practice

Mr. McCarty specializes in bankruptcy, restructurings, creditors' rights and commercial law. He has represented a wide variety of constituencies in bankruptcy, restructurings and troubled debt matters, including secured creditors, unsecured creditors, indenture trustees, creditors' committees, trustees and purchasers.

EDUCATION

- J.D., Harvard University, 1977, *cum laude*
- B.A., Claremont Men's College, 1974, *summa cum laude*

EXPERIENCE

Representative Clients

U.S. Bank, Comerica Bank, Union Bank of California, Northrop Grumman Corporation, Unified Western Grocers.

Representative Matters

People's Choice Home Loan. Represent mortgage warehouse lender with \$270 million outstanding in Chapter 11 case for subprime lender.

Ownit. Represent indenture trustee in connection with repurchase claims in Chapter 11 case for subprime lender.

PacSun. Represent agent bank on \$25 million in development financing in Chapter 11 case involving commercial and residential development.

Cooper Commins. Represented construction lenders in connection with Chapter 11 case involving partially completed condominium project.

Northwest Airlines. Represent indenture trustee for \$235 million in bonds and member of creditors committee.

Adelphia Communications. Represent indenture trustee for \$1.7 billion in notes and member of creditors committee.

Intermet Corporation. Represent indenture trustee for \$175 million in notes and member of creditors committee in Chapter 11 case for automotive industry supplier to OEMs and Tier 1s.

Kistler Aerospace. Represented large aerospace subcontractor/supplier with \$46 million claim and member of creditors committee.

Fedco. Represented supplier to membership/discount retail chain and member of creditors committee.

Illuminations. Represented subordinated debt holder and member of creditors committee in Chapter 11 case for retailer.

Fleming Foods. Represented prospective purchaser for portions of Flemings wholesale grocery distribution business.

Leap Wireless. Represented indenture trustee for \$743 million in notes and member of creditors committee.

General Chemical. Represented indenture trustee for \$100 million in notes and member of creditors committee.

American Plumbing and Mechanical. Represented indenture trustee for \$95 million in notes and member of creditors committee.

Loewen. Represented indenture trustee for \$350 million in notes.

SonicBlue. Represent indenture trustee for \$106 million in notes.

IT Group Inc. Represented large engineering/construction firm involved in projects with this Chapter 11 debtor.

Excite@Home. Represented large software company/internet company in contractual relationship with this Chapter 11 debtor.

MedPartners. Represented large health plans in Chapter 11 case for health care network with over one million members.

(Unnamed Company). Represented agent bank in workout and out-of-court sale of manufacturer company relating to \$130 million in syndicated loans.

Alestra. Represented indenture trustee for \$570 million in notes in connection with exchange offer and related litigation.

Riverstone Networks. Represented indenture trustee for \$132 million in notes in litigation related to dispute over asserted defaults.

A&J Cheese. Represented agent bank on \$56 million in financing in receivership involving cheese company.

Dutra Group. Represented lead bank for \$60 million in financing in Chapter 11 case for dredging and quarry company.

HONORS

- Who's Who Legal: California, 2008, 2009
- The BTI Client Service All-Star Team for Law Firms 2009, 2010
- Best Lawyers of America (Banking Law and Bankruptcy and Creditor-Debtor Rights Law), 2009, 2010, 2011, 2012
- Southern California Super Lawyer, 2008, 2009, 2010, 2011, 2012
- Which Lawyer?, Restructuring, Practical Law Company, 2011

MEMBERSHIPS

- Member, Financial Lawyers Conference
- Past Chair, Commercial Law and Bankruptcy Section, Los Angeles County Bar Association
- Member, Business Bankruptcy Committee, American Bar Association
- Past Chair and Board Member, Bankruptcy Battleground West, America Bankruptcy Institute