



## Alan H. Martin

**Partner**

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### OVERVIEW

Alan Martin is a partner and co-chair of the Finance and Bankruptcy Practice Group and specializes in commercial finance law, corporate restructuring, asset acquisition and disposition, bankruptcy, workouts, enforcement of creditors rights and remedies, and related commercial litigation.

### Areas of Practice

Mr. Martin's expertise includes extensive work in bankruptcy and state courts, as well as structured finance documentation in such industries as commercial real estate, healthcare, retail, manufacturing, hospitality and recreation. He represents creditors committees, secured and unsecured creditors, trustees, landlords, federal receivers, equipment lessors and debtors, along with various parties in municipal restructurings.

### EDUCATION

- J.D., University of Virginia School of Law, 1987
- B.A., University of Virginia, 1984, *High Honors*

### ADMISSIONS

- U.S. District Courts for Central, Eastern, Northern and Southern Districts
- Supreme Court of the United States

### EXPERIENCE

#### Representative Clients

Bank of America; General Electric Capital Corporation; CIT Group; Taylor Made Golf; Berkadia Commercial Mortgage; Societe Commerciale Euro-Taiwanaise; Marquette Capital; Taichung Commercial Bank; California Portland Cement Company; Verify, Inc.; Mercury Cable; The Catholic Diocese of Orange; Orange County Department of Education

#### Representative Matters

- Represented agent bank on loan workout, bankruptcy, enforcement of creditor's rights, lien litigation, guarantor proceedings and related REO sales concerning several large syndicated commercial loans to a national developer.

### PRACTICE AREAS

- Troubled Assets
- Bankruptcy and Restructuring
- Finance
- Litigation
- International Practice

### INDUSTRIES

- Commercial Mortgage Backed Securities ("CMBS")
- Emerging Growth/Venture Capital
- Financial Services
- Hospitality
- Mortgage Banking
- Retail

- Represented agent bank on a large, syndicated loan concerning a partially completed resort hotel complex in Northern California. The representation entailed creditor's rights enforcement as to numerous obligors, related state court receivership proceedings and extensive lien litigation.
- Represented agent bank on loan workout, extensive land use issues, enforcement of creditor's rights, and lien and guarantor litigation concerning a series of syndicated and participated loans made to a large developer in Southern California.
- Represented committee and subcommittee in Chapter 9 municipal insolvency proceedings of the County of Orange, California.
- Represented federal receiver in SEC receivership proceedings concerning an illegal investment program which victimized over 1,000 investors nationwide. Representation entailed, among other things, disposition of extensive resort-related real estate holdings in several states, pursuit of litigation against various company officials and development of a distribution plan to the investors.
- Represented health care lenders concerning loan workouts, receiverships and creditor's rights enforcement of rights and remedies concerning a series of clinic, hospital and senior care locations.
- Represented creditors committee in the Chapter 11 proceedings of large home improvement retailer House2Home, which entailed disposition of extensive inventory and commercial real estate holdings and related issues throughout the Western United States.
- Represented successful "new value" equity acquirer of Chapter 11 reorganized commercial real estate debtors. The debtors own several large apartment complexes in four states across the country and the court-approved acquisition by secured lender-related entity occurred over the objection of the old equity holders.
- Represented equipment lessor in Chapter 11 proceedings of office supply store chain, including successful trial result concerning "true lease" treatment of the agreements concerning the extensive equipment involved.

## **HONORS**

- Leading Practitioner in Corporate Restructuring, Legal 500 US
- Best Lawyers in America, Bankruptcy and Creditor-Debtor Rights Law, 2007-2012

## **MEMBERSHIPS**

- Former President, Orange County Bankruptcy Forum, 1997-1998
- Former Board of Directors, California Bankruptcy Forum, 1997-2000
- Member, Orange County Bankruptcy Forum
- Member, Los Angeles Bankruptcy Forum
- Member, Orange County Bar Association
- Member, American Bar Association
- Member, American Bankruptcy Institute
- Screening Committee, Ninth Circuit Bankruptcy Judge for the Central District of California, 1991-1993, 2000
- Former President, Orange County Chapter of the University of Virginia Alumni Association, 1989-1995
- Board of Directors, Regional Center of Orange County, 2006-2010

**ARTICLES**

- What Do The 2005 Bankruptcy Amendments Mean For The Healthcare Industry?, June 22, 2005

**Bankruptcy & Restructuring Law Blog Articles**

- "What Do the Bankruptcy Amendments Mean for the Healthcare Industry?", June 11, 2005
- "So Your Customer Filed for Bankruptcy Protection: What to Expect Under the New Bankruptcy Act", May 19, 2005

**SPEECHES**

- He is frequent speaker on various banking, commercial law, bankruptcy and healthcare topics.