



Michael H. Ahrens

Partner

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PRACTICE AREAS

- Bankruptcy and Restructuring

OVERVIEW

Michael H. Ahrens is a partner in the Finance and Bankruptcy Practice Group in the firm's San Francisco office.

Areas of Practice

Mr. Ahrens represents clients throughout the country in all types of insolvency proceedings, including confirmation of plans, rejection and assumption of leases and other executory contracts, and bankruptcy litigation. Mr. Ahrens represents secured creditors, debtors, creditors' committees, trustees and receivers.

In addition, Mr. Ahrens has represented business clients in the purchase and sale of assets of troubled companies. Finally, he has substantial experience with loan workout problems of troubled companies, representing both financial institutions and borrowers.

EDUCATION

- J.D., University of San Francisco, 1969
- B.A., University of San Francisco, 1967

EXPERIENCE

Representative Debtors

Humboldt Creamery; Dillingham Construction Corporation; Natural Wonders; iSyndicate; Francis Ford Coppola and Zoetrope Corporation; Arriva Pharmaceutical; The Billing Resource; Advance Telecom; and, Joseph Magnin.

Representative Committees

Western MacArthur; Plant Insulation; J.T. Thorpe; William "Boots" Del Biaggio; TVIA; Imaginarium; Everex; NetSource Telecommunications; and, key committee members in PG&E, Hamilton Taft and Kenetech.

Representative Lender Clients

United States National Bank, Wells Fargo Bank, and others financial institutions as creditors in numerous insolvency cases

Representative Matters

Represent Official Creditors Committee of Plant Insulation in proposing joint plan

Represent Official Creditors Committee of William "Boots" Del Biaggio in selling major interest in the National Hockey League team, Nashville Predators

Represented Official Shareholders Committee of Tvia, a publicly held company, in its successful chapter 11 reorganization plan

Represented Debtor Humboldt Creamery in successful plan confirmation and sale of business to Foster Farms

Represented Lithia Motors in Chapter 11 of Chrysler and General Motors

Represented Official Creditors Committee of JT Thorpe in its successful chapter 11 confirmation, obtaining over \$250 million for creditors

Represented Arriva Pharmaceutical in its successful Chapter 11 reorganization

Represented The Billing Resource as Debtor in Chapter 11 in successful Chapter 11 plan

Represent Official Creditors Committee of Western MacArthur in successful confirmation of Plan of Reorganization which provides for over \$2 Billion for creditors

Represent GWF Power, a member of the Official Creditors Committee in the Chapter 11 bankruptcy case of Pacific Gas & Electric

Represent Dillingham Construction Corporation and affiliates in Chapter 11 and confirmation of plan

Represent Advanced Telcom Group, Inc., and affiliates in Chapter 11

Represent CommSouth Companies, Inc. in Chapter 11

Represent Zomax Incorporated's prospective purchaser of assets in Chapter 11 of Software Logistics Corporation

Represent equity holders of Chapter 11 debtor Tower Records

Represented Prometheus Laboratories, Inc., in the purchase of assets from Chapter 11 debtor DNA Sciences, Inc.

Represent Natural Wonders, Inc., as a Chapter 11 debtor

Represent Fry's Electronics as purchaser of assets in the Chapter 11 bankruptcy case of Egghead.com

Represent iSyndicate, as a Chapter 11 Debtor in its successful sale of its business

Represent Wells Fargo Bank in the Chapter 11 bankruptcy case of Finova

Represent certain members of the official unsecured creditors committee in the Chapter 11 bankruptcy case of Metricom, Inc.

Represent Andros, Inc. in its successful reorganization outside of bankruptcy

Represent Comerica Bank in a workout of a \$60 million loan

Represent McKesson Corporation in the Chapter 11 bankruptcy cases

Represent General Electric Credit Corporation as a secured creditor in the Chapter 11 bankruptcy case of Hawthorne Plaza

Represent Irwin Home Equity as a purchaser of assets in the Chapter 11 bankruptcy case of Tri Valley Growers

Represent Vector Aerospace Corporation in the purchase of assets out of Chapter 11 by Vector of a repair maintenance and overhaul facility for aviation components

Represent Tanon Manufacturing, Chapter 11 debtor, in successful sale of its contract manufacturing business out of bankruptcy

Represented the creditors' committee of NetSource Telecommunications

Represented Qwest Communications, formerly LCI International, major creditor and creditors' committee chair in Chapter 11 of Touch 1, Inc.

Represented a secured creditor and holder of intellectual rights in the Chapter 11 of Superstill Technology

Represented US Bank in Chapter 11 bankruptcy case of Lyon's Restaurants

Represented Vista Properties, Chapter 11 debtor, in the confirmation of a plan of reorganization involving 24-story office building on Park Avenue, New York

Represented Clark Construction in the acquisition of assets of Guy F. Atkinson out of Chapter 11

Represented Louisville Gas & Electric Co. as a major creditor and creditors' committee chair in the Chapter 11 of Kenetech Windpower, Inc.

Represented Media Vision Technology Inc. in Chapter 11. The company successfully confirmed a major Chapter 11 plan and emerged from Chapter 11 in five months

Represented Paul Shoen in a 14-day confirmation trial concerning control of U-Haul and successfully defeated a plan proposed by his brother, debtor Edward Shoen

Represented the creditors' committee in the Chapter 11 of Everex

Represented the creditors' committee in the Chapter 11 of Transisco, resulting in a successful plan

Represented the major shareholder and plan proponent in the Chapter 11 case of Trailways Bus Lines filed in the Northern District of Texas. After an extended confirmation trial, the plan was successfully confirmed

Represented secured creditors holding secured claims in the bankruptcy cases of Knudsen Foods and Foremost Dairies in the Central District of California, resulting in a successful plan

Represented Federal Express in successfully bringing an involuntary Chapter 11 case and obtaining the appointment of a trustee in a Hamilton-Taft case filed in the Northern District of California, a case involving the diversion of millions of dollars of funds

Represented Francis Ford Coppola and Zoetrope Corporation in their Chapter 11 cases, which resulted in a successful settlement and eventual dismissal

Represented Jo-In Corporation, a real estate developer, in the confirmation of its plan in a Chapter 11 case filed in the Territory of Guam

Represented the sole shareholder in proposing a railroad reorganization plan for Eureka Southern Railroad under Subchapter IV of Chapter 11

Represented a group of insurance companies in disputes with Johns-Manville in a bankruptcy case pending in New York. The settlement led to the financing of a Johns-Manville Chapter 11 plan

Litigated issues relating to insurance coverage in the A.H. Robins Chapter 11 case, pending in Virginia

Litigated issues relating to insurance coverage in the Chapter 11 case of UNARCO, pending in Chicago

Represented debtor-in-possession Joseph Magnin Co., Inc. in a Chapter 11 case filed in the Northern District of California. A successful plan of reorganization was proposed by Joseph Magnin, which has paid all unsecured creditors 100 cents on the dollar, with interest. Leases were assumed and assigned by this debtor in connection with consummation of the confirmed plan

Represented a line bank in connection with negotiations with the United States Department of the Treasury and with Chrysler Corporation in Chrysler loan workouts

Represented Roberts Farms, Inc., one of the largest privately held farms in the state of California, in its Chapter 11 case filed in the Eastern District of California. A plan of reorganization was confirmed after a cramdown trial commenced

Acted as special bankruptcy counsel for Consolidated Capital Equities Corporation in a Chapter 11 case filed in Dallas, Texas. After litigation, a successful Chapter 11 plan was confirmed

Represented defendants in connection with fraudulent conveyance actions instituted in the Chapter 11 of ITEL filed in the Northern District of California

Represented EONS Corporation, a Chapter 11 real estate developer that owns condominiums and other real estate, in its Chapter 11 case filed in the Territory of Guam, resulting in a confirmed plan

Represented MicroVest in a dispute with a Chapter 11 debtor concerning the stock of Computerland Corporation. Adversary proceedings were won and MicroVest obtained the stock

Represented a secured creditor in the Yellow Cab bankruptcy case filed in the United

States Bankruptcy Court, Southern District of California

Represented FDIC as a secured creditor of Westgate-California Corporation in its Chapter X proceedings

Represented two banks which were the substantial creditors of George I. Benny in his Chapter 11 case filed in the United States Bankruptcy Court, Northern District of California

Represented the owner of the Monterey Plaza Hotel regarding workout problems outside of bankruptcy

Represented banks and financial institutions in a loan workout with numerous debtors short of bankruptcies, preparing revision agreements where the debt was secured by various assets, including shopping centers, office buildings, airplanes, helicopters and hotels

HONORS

- Fellow, American College of Bankruptcy
- Leading Bankruptcy Lawyer, Chambers USA, 2004 - present
- Top 100 Northern California Super Lawyers, *San Francisco Magazine*
- Top Northern California Bankruptcy Lawyer, Northern California Super Lawyers
- Northern California Super Lawyers, *San Francisco Magazine*, 2007 - present
- Which Lawyer?, Restructuring & Insolvency, Practical Law Company, 2009, 2011
- Resolution Advocate, appointed by United States Bankruptcy Court, Northern District of California, under the Bankruptcy Dispute Resolution Program, 1994-present
- Best Lawyers in America, 2003 - present

MEMBERSHIPS

- Director, Bay Area Bankruptcy Forum, 1997-2000
- Member, Committee of Lawyer Representatives to the Ninth Circuit Court of Appeals for the Northern District, 1997-2000
- Member, Bankruptcy Advisory Committee (appointed 1984) United States District Court, Northern District of California
- Director, California Bankruptcy Forum, 1992-1993
- Member of the Committee of Lawyer Representatives of the Bankruptcy Court, Northern District of California, 1990-1993
- Member, American Bar Association
- Member, American Bankruptcy Institute
- Member, Bay Area Bankruptcy Forum
- Member, California Bankruptcy Forum

SPEECHES

- "Financing Bankruptcy Cases," and "Post-confirmation Matters," Nuts and Bolts of Corporate Bankruptcy 2010, Practising Law Institute, November 29-30, 2010
- Speaker of the use of real estate as the "Indubitable Equivalent" in a cramdown plan
- Speaker on issues involving "Fraudulent Conveyances"
- Speaker on issues of "New Value" in a cramdown plan

- "Confirmation Valuation Issues" presented to the Association of Insolvency Accountants
- Speaker on Plan Confirmation issues
- "203 N. LaSalle and 'New Value'"
- "Opportunities & Pitfalls with Troubled High Tech & Internet Companies"
- "Crossing the Bankruptcy Threshold: Avoiding Disqualification and Disgorgement"
- "Asset Sales in Bankruptcy" presented to the Bay Area Bankruptcy Forum and the Turnaround Management Association
- Numerous other presentations