

Aaron M. Kaufman

Partner

Aaron Kaufman is a commercial bankruptcy attorney dedicated to guiding clients through complex business reorganizations and commercial litigation matters. Whether he's helping clients solve problems in their own distressed environment or structuring the acquisition of troubled assets through the bankruptcy process, Aaron focuses on understanding each client's unique business and industry so he can design the best strategy for achieving their goals. He has resolved high-profile cases in numerous industries, including energy, healthcare, retail, construction, real estate, technology, fitness and many others.

Aaron's bankruptcy experience runs the gamut, from representing debtors, trustees and lenders to committees, investors and other parties with a stake in the outcome. He has a strong track record for helping clients overcome challenges in complex chapter 11 bankruptcy cases, whether it involves a tailored reorganization plan or a quick 363 bankruptcy sale. Aaron also assists investors in acquiring distressed assets and represents clients in all other aspects of commercial bankruptcy cases.

In addition, Aaron is an accomplished litigator with experience resolving bankruptcy-related litigation and other commercial disputes concerning a number of issues, including fraudulent transfers, preference actions, breach of fiduciary duties and contract claims.

Aaron stays at the forefront of the latest developments in the commercial bankruptcy field. He is often called on by media to provide insights on legal issues impacting distressed businesses across the country. Aaron is also a frequent author and speaker on a variety of bankruptcy and litigation topics.

Representative Experience



Aaron M. Kaufman

1601 Elm Street
Suite 4600
Dallas, TX 75201
akaufman@grayreed.com

D: 469.320.6050

C: 972.757.0951

T: 214.954.4135

F: 214.953.1332

Practices

Corporate Restructuring &
Bankruptcy

Education

J.D., *with honors*, University of
Houston Law Center (2007)
B.S., The University of Texas at
Austin (2002)

Judicial Clerkships

Judicial Clerk to the Honorable
Leif M. Clark of the United States
Bankruptcy Court for the Western
District of Texas, now retired

Bar Admissions

Texas (2007)

Court Admissions

United States District Court,
Northern District of Texas
United States District Court,
Southern District of Texas
United States District Court,
Eastern District of Texas
United States District Court,
Western District of Texas

Examples of Chapter 11 Debtor Representations:

- Debtors' counsel to the owner, operator, and franchisor of pizza restaurants with approx. 318 locations across 26 states. *In Re CiCi's Holdings, Inc.* Case No. 21-30146 (Bankr. N.D. Tex.)
- Debtors' counsel to Eagle Pipe, LLC, a full-service distribution company for oil country tubular goods, line pipe and poly pipe, in the successful sales of the company's assets and settlements of complex litigation claims asserted by the company's primary suppliers. *In re Eagle Pipe, LLC*, Case No. 20-34879 (Bankr. S.D. Tex.)
- Debtors' counsel to Gold's Gym and related entities in the expedited and successful auction, sale and confirmation processes during the global pandemic, resulting in projected 100% payout for creditors and anticipated dividend for equity. *In re GGI Holdings*, Case No. 20-31318 (Bankr. N.D. Tex.)
- Consummated sale of data screening and construction services business through a confirmed chapter 11 plan. *In re FC Background, LLC*, Case No. 19-32037 (Bankr. N.D. Tex.)
- Obtained confirmation of chapter 11 plan and approval of equity sale and settlement to resolve over \$1.5 billion in personal injury claims asserted against management companies for skilled nursing facilities. *In re Preferred Care Partners Management Group, LP*, Case No. 17-44741 (Bankr. N.D. Tex.)
- Closed on \$75 million of distressed asset sales through 363 sales as debtors' counsel to mid-stream energy company and related transportation affiliate. *In re Connect Transport, LLC*, Case No. 16-33971 (Bankr. N.D. Tex.)
- Confirmed pre-negotiated chapter 11 plan to sell

publicly-held pharmaceutical companies through rapid confirmation process. *In re Assured Pharmacy, Inc.*, Case No. 15-40389 (Bankr. E.D. Tex.)

- Confirmed chapter 11 plan reorganizing mid-sized retail uniform and apparel distribution company as debtor's counsel. *In re IQ Apparel, LLC*, Case No. 12-36511 (Bankr. N.D. Tex.)
- Debtor's counsel to Central Texas-based oil refinery, and special counsel to trustee in negotiating vendor and insurance settlements necessary to confirm plan of reorganization. *In re AGE Refining, Inc.*, Case No. 10-50501 (Bankr. W.D. Tex.)
- Debtor's counsel to regional homebuilder in successful sale of company's assets to pay down the \$100 million in secured debts while down-sizing the company for future building operations. *In re Wall Homes, Inc.*, Case No. 09-30362 (Bankr. N.D. Tex.)
- Debtor's counsel in contested sale of debtor's single asset real estate case and confirmation of a chapter 11 plan of liquidation, including successful defense on appeal. *In re Camp Arrowhead, Ltd.*, Case No. 09-54693 (Bankr. W.D. Tex.)

Examples of Committee and Trustee Representations:

- Committee counsel in mid-sized well servicing companies' chapter 11 cases, resulting in successful sale and confirmation of liquidating plan. *In re Frac Specialists, LLC*, Case No. 15-41974 (Bankr. N.D. Tex.)
- Committee counsel in publicly-held senior living facility entities' bankruptcy cases, resulting in confirmation of liquidating plan. *In re Mason Coppell OP, LLC*, Case No. 14-31327 (Bankr. N.D. Tex.)
- Chapter 11 Trustee's counsel in regional community hospital cases, resulting in extensive marketing process,

sale and confirmation of plan to reorganize hospital ownership. *In re Winnie Community Hospital, LLC*, Case No. 12-46841; *In re Frontier Healthcare Group, LLC*, Case No. 12-46842 (Bankr. N.D. Tex.)

- Committee and liquidating trustee's counsel in chemical distributor chapter 11 case, resulting in successful rejection of debtor and equity holders' competing plans, confirmation of committee's plan, and successful administration of trust by paying out claims at nearly double the distribution initially projected at confirmation. *In re Estes, Inc.*, Case No. 10-39032 (Bankr. N.D. Tex.)

Examples of Lender and Investor Representations:

- Lender's counsel in successful acquisition of E&P company's 20,000 acres of mineral rights in the Marble Falls unconventional resource play in the Fort Worth Basin through a confirmed chapter 11 plan. *In re Sable Operating Co.*, Case No. 15-33460 (Bankr. N.D. Tex.)
- Obtained dismissal in serial bad-faith chapter 11 filings and subsequent chapter 13 filings by principals of the borrower, as counsel to the secured lender. *In re Margate Bachi, LLC*, Case No. 12-40602; *In re Jonuzi*, Case No. 12-42158 (Bankr. N.D. Tex.)
- Obtained stalking horse protections for investor client seeking to buy distressed assets of gelato franchisor bankruptcy. *In re Authentic Gelato, LLC*, 17-33532 (Bankr. N.D. Tex.)
- Counsel to secured creditor and credit bid purchaser in chapter 11 filing by technology company. *In re TXP Corporation*, Case No. 09-43659 (Bankr. N.D. Tex.)
- Obtained venue transfer in single asset case on behalf of secured creditor. *In re Lakeview at Carolina Beach, LLC*, Case No. 10-34542 (Bankr. N.D. Tex.)

Examples of Litigation and Other Creditor Representations:

- Successful defense of former chairman and CEO of large well-servicing company in \$200+ million claims brought by liquidating trustee for breach of fiduciary duty, fraudulent transfers and preferential transfers. *In re Green Field Energy Servs.*, Proc. No. 15-50262 (Bankr. D. Del.)
- Summary judgment and appellate victories in lawsuit brought by a subcontractor of the borrower under the Texas Construction Trust Fund Act. *Dakota Util. Contrs., Inc. v. Sterling Commer. Credit, LLC*, 2018 Tex. App. LEXIS 7076, 2018 WL 4144201 (Tex. App.—Corpus Christi Aug. 30, 2018, pet. filed)
- Obtained appointment of chapter 11 trustee in bankruptcy case filed by majority owners in an effort to dilute client's ownership interest in Hawaiian real estate investment. *In re Pacific Plains Company, LLC*, Case No. 12-31653 (Bankr. N.D. Tex.)
- Negotiated settlements on behalf of the largest creditor in chapter 11 of a free-standing emergency room (FSER), resulting in a sale of the business and a liquidating plan to maximize return for creditors. *In re Ascent Group, LLC d/b/a PhysiciansER - Oak Lawn*, Case No. 16-34436 (Bankr. N.D. Tex.)
- Protected national brand in multiple filings by pizza restaurant franchisees. *In re Greenville Dough, LLC and Denton Dough, LLC*, Case Nos. 17-31858 and 17-34650 (Bankr. N.D. Tex.)
- Frequent defense of individuals and companies in fraudulent transfer and preferential transfer lawsuits brought by chapter 7 and chapter 11 trustees
- Frequent representation of secured lenders in small

business and single asset bankruptcy filings

- Frequent representation of landlords in complex chapter 11 bankruptcy cases

Press Releases

- “Gray Reed Adds Five Attorneys to its Roster,” (September 23, 2020)

Thought Leadership

- “Bankruptcy Law: Year in Review,” *Texas Bar Journal* (January 2021)
- “Trademark Licences Survive Bankruptcy,” *Intellectual Property Magazine* (July/August 2019)
- “Benchnotes,” *American Bankruptcy Institute Journal* (2009 – 2018)
- “Bankruptcy Year-in-Review,” *Texas Bar Journal* (2011 – Present)

Speeches and Presentations

- “Recent Developments in Bankruptcy II,” 39th Annual Jay L. Westbrook Bankruptcy Conference (November 6, 2020)
- “Virtually Everything You Want to Know About Managing Through Distress, Insolvency and Bankruptcy,” Dallas Bar Association (September 1, 2020)
- “Recent Developments II,” 38th Annual Jay L. Westbrook Bankruptcy Conference, Austin, TX (November 14, 2019)
- “IP Assets in Bankruptcy,” TexasBarCLE 32nd Annual Course on Advanced Intellectual Property Law: Overview of IP, Dallas, Texas (February 28, 2019)

- “(Almost) Everything You Ever Wanted to Know About Chapter 11 Plans,” 37th Annual Jay L. Westbrook Bankruptcy Conference, Austin, Texas (November 15, 2018)
- “Keeping Your Truck on the Road: A Presentation Examining the Unique Challenges Arising in Chapter 11 Trucking Cases,” Dallas Bar Association: Bankruptcy and Commercial Law Section, Dallas, Texas (October 3, 2018)
- “Business Bankruptcy Case Updates,” Annual Jay L. Westbrook Bankruptcy Conference (UTCLE) (2009 – Present)
- “Hot Topics in Financial Restructuring,” PwC Deals Leadership Summit 2015, Grapevine, Texas (January 5, 2015)
- “Current Developments in Commercial Bankruptcy Case Survey,” ABI Southwest Conference, Incline Village, Nevada (August 26, 2013)
- “Hot Bankruptcy Topics in the Fifth Circuit: The Rise of Class Actions, the Fall of Gift Plans and That Equitable Mootness Doctrine,” Dallas Bar Association: Bankruptcy and Commercial Law Section, Dallas, Texas (April 6, 2011)

Honors

- Selected by his peers for inclusion in Woodward/White, Inc.’s *The Best Lawyers in America* in the fields of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2020 – 2021)
- Named a “Super Lawyer” by Texas Super Lawyers (a Thomson Reuters company) as published in *Texas Monthly* (2018 – 2020)
- Named a “Rising Star” by Texas Super Lawyers (a

Thomson Reuters company) as published in *Texas Monthly* and *Texas Super Lawyers* magazines (2016 – 2017)

Organizational Involvement

Professional Activities, Memberships & Affiliations

- American Bankruptcy Institute,
 - Coordinating Editor for *ABI Journal* 2009–2018 and 2020
 - Volo Project – Circuit Court First Responders, Contributor, 2010 – present
- American Bar Association
- Dallas Bar Association
- The Hon. John C. Ford American Inn of Court

Community Involvement, Memberships & Affiliations

- Jewish Federation of Greater Dallas (Cardozo Society)