



Ben Logan

Of Counsel | blogan@omm.com

Ben Logan is Of Counsel O'Melveny's Los Angeles office. The primary focus of his practice is chapter 11 reorganizations and out-of-court workouts, representing major creditors and business debtors.

Ben is recognized by *Chambers USA* as one of the leading insolvency/corporate recovery lawyers in California, has consistently been selected by his peers for inclusion in *The Best Lawyers in America*® since 1995 (and was named the *Best Lawyers*® 2016 Litigation - Bankruptcy "Lawyer of the Year" in Los Angeles), and is listed in the Legal Media Group's *Expert Guides* as a leading insolvency and restructuring lawyer. *Chambers* reports that Ben is "extremely talented" and "a seasoned and highly respected authority in the bankruptcy field," "takes an extremely practical approach" and that he is "highly engaging and communicative, which makes him superb when it comes to highly fraught multiparty situations where building consensus is a must. He can also take on an army of attorneys alone and win."

Resident Office(s)

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Illustrative Professional Experience (Excluding Current Nonpublic Matters)

- ***Wellness International Network v. Sharif***. Represented the debtor in this case before the Supreme Court of the United States (October 2014 term) involving the constitutional limits of what can be decided by a bankruptcy court.
- Represents the Ad Hoc Group of Second Lien Lenders (**Cerberus** and a **leading financial institution**) in the bankruptcy of **AMF Bowling** and its affiliates.
- Represents **Lennar** in the bankruptcy cases of **Briarwood Capital, LLC** and affiliates (a real estate developer).
- Represented the Official Creditors' Committee in the chapter 11 of **Philadelphia Newspapers**; also represented the Prepetition Ad Hoc Committee of Noteholders.



- Represented **Lennar** as the largest unsecured creditor and 16% equity holder in the chapter 11 of **LandSource** (the developer of master planned communities; selected as the winner of the 2010 Chapter 11 Reorganization of the Year in the \$1 billion + category in the Global M&A Network's Turnaround Atlas Awards).
- Represented two substantial hedge funds as prepetition secured lenders and DIP lenders in the chapter 11 of **Solidus Networks/Pay By Touch** (a biometric company).
- Represented **New Century Financial Corporation** (a subprime mortgage lender and servicer) as debtor in possession in its chapter 11. (This case was the largest chapter 11 filed in 2007 and was selected by the Turnaround Managers Association as one of the 10 most successful restructurings of 2008).
- Represented **Canadian Imperial Bank of Commerce** as the agent for the senior secured lenders to **Protocol Communications** (a call center and marketing company) in Protocol's Chapter 11 and prior out-of-court restructurings.
- Represented **Tower Records** (specialty music and video retailer) as debtor in possession in its second Chapter 11.
- Represented **Cerberus** as the acquirer of substantially all the assets of the debtors in the Chapter 11 of **Sydran Services** (the largest group of Burger King franchises in the US).
- Represented the ad hoc Committee of Euro Note holders in the Chapter 11 of **Solutia Inc** (a diversified chemical manufacturer) and the Belgian Companies Code Article 568 restructuring of Solutia's European operations.
- Represented **Cerberus** in the Chapter 11 of **Illuminations** (a specialty retailer).
- Represented **Wherehouse Entertainment** (specialty music and video retailer) as debtor in possession in its second Chapter 11.
- Represented **Tower Records** (specialty music and video retailer) as debtor in possession in its 2004 prepackaged Chapter 11.
- Represented **Sun Healthcare** (operator of skilled nursing



- facilities) in its out-of-court restructuring.
- Represented **Wachovia Bank** as agent to senior bank group in the out-of-court restructuring of **KMC Telecommunications** (a CLEC).
 - Represented a major financial institution as agent to senior bank group in the Chapter 11 of **Sun Healthcare** (operator of skilled nursing facilities).
 - Represented the debtors in possession in **Delpit** (real estate developer).
 - Represented **Bankers Trust** as agent for the senior secured bank group (US\$200 million) in the Chapter 11 of **Goss Graphic Systems** (printing press manufacturer).
 - Represented **Bankers Trust** and **Cerberus** as successive agents for bank group (US\$95 million) in the Chapter 11 of **Wherehouse Entertainment** (specialty music and video retailer) and counsel to Reorganized Wherehouse.
 - Represented the indenture trustee for Senior Notes in the Chapter 11 of **Unison HealthCare** (operator of skilled nursing facilities).
 - Represented **Canadian Imperial Bank of Commerce** in Chapter 11 of **Pegasus Gold** (gold mining company).
 - Represented the Unsecured Creditors' Committee in the Chapter 11 of **Automotive Distributing for the Farwest** (specialty retailer).
 - Represented a group of major trade creditors in the Chapter 11 of **Auto Parts Club** (specialty retailer).
 - Represented the **Irvine Company** as largest unsecured creditor and Chair of the Creditors' Committee in the Chapter 11 of **Sunworld** (agricultural co-op).
 - Represented **Canadian Imperial Bank of Commerce** in the workout and prepackaged bankruptcy of **Morrison-Knudsen Corporation** (heavy civil construction).
 - Represented **Wells Fargo Bank** as senior creditor and plan sponsor in the Chapter 11 of **Cabrillo Crane & Rigging Corp** (construction contractor).
 - Represented **Bankers Trust** as agent for senior secured bank group in the Chapter 11 of **SCI TV** (owner of 6 major market TV stations).
 - Represented a major financial institution as agent for the



senior secured bank group in Chapter 11 of **Western Sizzlin'** (franchisor of steak restaurants).

- Represented a major financial institution as lead bank in Chapter 11 cases for **Financial News Network** (cable TV network that later became CNBC) and **Infotechnology** (media company).
- Represented **Security Pacific National Bank** as agent for bank group in workout and prepackaged Chapter 11 for **Republic Health Corporation** (hospital chain).
- Represented **Southern California Edison** in the chapter 11 of **The Arbutus Corp.**, a wind farm owner and operator.

Education

Stanford University, J.D., 1976: Note Editor, *Law Review*, 1974-76

Duke University, B.A., 1973: *magna cum laude*; Phi Beta Kappa

Professional Activities

Admitted. California, District of Columbia

Teaching.

- Lecturer, University of California, Berkeley, School of Law, Bankruptcy (Law 256.6F), Spring Semester 2014
- Lecturer, University of California at Los Angeles, School of Law, Business Bankruptcy (Law 248), Fall Quarter 2015

Honors.

- Fellow, American College of Bankruptcy
- Listed in *Best Lawyers in America* consistently since 1995
- Named the *Best Lawyers* 2016 Litigation - Bankruptcy "Lawyer of the Year" in Los Angeles
- Ranked by *Chambers (USA)* consistently since 2003 as a leading insolvency lawyer



- "Southern California Super Lawyer" as selected by *Los Angeles Magazine* since the inception of such rankings

Board Affiliations.

- Financial Lawyers Conference, President (2014-2015); Vice President (2013-2014); Secretary (2012 - 2013); Board of Governors (2009-present)
- Lawyer Representative on the Ninth Circuit Judicial Conference (term: 2012 - 2016)
- Debtor/Creditor Relations Committee of the State Bar of California (1986-1991)

Author and Speaker.

Frequent speaker and author including recent presentations on derivatives in bankruptcy, fiduciary duties, portfolio company restructurings, prepayment premiums, repurchase agreements, and debt subordination.