



Ben Logan

Of Counsel

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Ben Logan focuses his practice on 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 he 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.”

Experience

- 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).

Admissions

Bar Admissions

California

District of Columbia

Education

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

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

- 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 Warehouse 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 Warehouse Entertainment (specialty music and video retailer) and counsel to Reorganized Warehouse.
- 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.

Professional Activities

Fellow

- American College of Bankruptcy

Teaching

- Lecturer, University of Washington, School of Law, Negotiations (Law B523), Spring Quarter 2017
- Lecturer, University of California at Los Angeles, School of Law, Business Bankruptcy (Law 248), Fall Quarter 2015
- Lecturer, University of California, Berkeley, School of Law, Bankruptcy (Law 256.6F), Spring Semester 2014

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.

Honors & Awards

- Recognized by *Best Lawyers*® 2021 for Bankruptcy & Creditor Debtor Rights / Insolvency & Reorganization Law and Litigation - Bankruptcy in Los Angeles, CA; Ben has been listed in *Best Lawyers*® 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