



### Rachel Ehrlich Albanese

#### Partner

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#### New York

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Rachel Albanese is a Restructuring partner in the New York Office. Rachel has nearly 20 years' experience representing secured and unsecured creditors, debtors, equity holders, purchasers of distressed assets, and other parties in interest in a wide range of restructuring matters, including cases under chapter 11 of the US Bankruptcy Code, out-of-court workouts and cross-border insolvency proceedings. In addition, Rachel has been involved in the current restructuring efforts in Puerto Rico since the earliest days when she participated in dozens of meetings with U.S. Congress members and staff to develop the law that ultimately became PROMESA. She has been instrumental in many of the firm's PROMESA-related matters.

#### RELATED SERVICES

- Restructuring

Rachel is a co-chair of the Women in Bankruptcy & Restructuring affinity group of the National Association of Women Lawyers (NAWL).

Rachel is an active member of the American Bankruptcy Institute and the International Women's Insolvency & Restructuring Confederation. After law school, where she served as Editor-in-Chief of Penn Law's *Journal of International Economic Law*, Rachel clerked for Hon. John W. Bissell, Chief Judge, United States District Court for the District of New Jersey. Rachel is a contributing author of the *Bloomberg Law: Bankruptcy Treatise*.

Rachel currently serves as Co-Hiring Partner of the New York office.

#### EXPERIENCE

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Notable representations:

- Valeritas Holdings, Inc. in its chapter 11 case, the first chapter 11 case in the country to attribute COVID-19 as one of the factors leading to the filing
- Committee of Independent Directors of Covia Holdings Corp. and special counsel to Covia in Covia's chapter 11 cases
- Spyglass Media Group, LLC (f/k/a Lantern Entertainment LLC) in *The Weinstein Company* chapter 11 case
- Authentic Brands Group as stalking horse purchaser in *In re Nine West Holdings, Inc.*

- Several foreign banks in the *Fairfield Sentry* chapter 15 litigation
- Ad hoc groups of noteholders in *In re Magnum Hunter Resources Corporation*, *In re Inversiones Alsacia S.A.*, *In re Eastman Kodak Co.*, *In re Houghton Mifflin Harcourt Publishing Co.*, *In re Rubicon REIT*, *In re Smurfit-Stone Container Corp.*, and *In re Adelphia Communications Corp.*
- The official committees of unsecured creditors in *In re Chassix Holdings, Inc.* and *In re SandRidge Energy, Inc.*
- Houlihan Lokey in *In re Relativity Media, LLC*
- UMB Bank, N.A. in *In re Residential Capital, LLC*
- The debtors in *In re Metro Affiliates, Inc.*, *In re Recycled Paper Greetings, Inc.*, and *In re Loral Space & Communications Ltd.*
- The Joint Official Liquidators of Trikona Advisers Limited and Security Capital Ltd. in US proceedings

Certain of the above matters were handled by Rachel prior to her joining DLA Piper LLP (US).

## CREDENTIALS

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### Admissions

- New Jersey
- New York

### Recognitions

- Recipient of the 14th Annual Women in Achievement Award from The New York Institute of Credit (NYIC) Women's Division
- Recognized as National Law Journal's 2020 Crisis Leadership Trailblazers
- Recognized as Lawdragon's 500 Leading U.S. Bankruptcy and Restructuring Lawyers (2020)
- Appointed to Bankruptcy Editorial Advisory Board, *Law360* (2015 and 2016 terms)
- Selected as Winning Deal Team – Professional Services Sector, 2011 Turnaround Awards, *The M&A Advisor*
- Received 2010 BNA Insights Award for "Chaper11.com: New Life for the Failed Retailer," published in the Aug. 19, 2010 issue of *BNA's Bankruptcy Law Reporter* (one of five articles selected out of over 1,000 entries)
- Noted in *The Wall Street Journal*, *New York Law Journal*, *National Law Journal* and on NY1 for pro bono efforts
- Recognized as Empire State Counsel, New York State Bar Association (pro bono)

### Education

- J.D., University of Pennsylvania  
*Journal of International Economic Law*, Editor-in-Chief
- B.A., University of Pennsylvania  
*cum laude*

### Courts

- Supreme Court of the United States
- United States Court of Appeals for the Third Circuit
- United States District Court District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

### Memberships

- Co-Chair for National Association of Women Lawyers' (NAWL) Practice Area Affinity Group, Women in Bankruptcy &

## Restructuring

- International Women's Insolvency and Restructuring Confederation
- American Bankruptcy Institute
- Penn Arts & Sciences Professional Women's Alliance

## PRO BONO

- Kids in Need of Defense, Her Justice, ABI Task Force on Veterans & Servicemembers Affairs
- DLA NY Pro Bono Committee

## INSIGHTS

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### Publications

#### Restructuring in an uncertain environment

18 May 2020

DLA Piper's Thomas Califano, Richard Hans and Rachel Albanese discuss the challenges and opportunities businesses should be aware of as they navigate these shoal waters.

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#### DLA Piper obtains approval of first coronavirus-impacted bankruptcy sale

25 March 2020

DLA Piper's Restructuring practice is at the forefront of the intersection of COVID-19 and bankruptcy.

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#### Commercial bankruptcy practice in the US today: Chapters 11 and 15

29 January 2020

The current legal framework in the US for companies seeking to reorganize and restructure their business operations and debt.

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- Co-author, "Three Recent Developments in Third Circuit Bankruptcy Law," *Law.com*, February 04, 2020
  - "US: Chapter 11," *America's Restructuring Review 2020*, Law Business Research: December 2019 (with Oksana Koltko Rosaluk)
  - Co-author, "Overview of Plan Support Agreements," *New York Law Journal*, June 8, 2018

- Co-author, "US: Chapter 11," *Global Restructuring Review*, November 20, 2017
- Co-author, "Healthcare restructurings: four key issues to consider before a chapter 11 filing," *JD Supra*, November 10, 2017
- Co-author, "Recent SDNY Decision Protects, Clarifies Investment Banker Compensation in Bankruptcy," *Bloomberg Law*, January 26, 2017
- Co-author, Practical Alternatives to a Bankruptcy Filing, *Journal of Corp. Renewal* (January/February 2016)
- Co-author, Restructuring and Insolvency in the United States: Overview, Practical Law (November 2015)
- Author, *Bloomberg Law: Bankruptcy Treatise* (December 2014)

## Events

- Panelist, Yes, You Need Them: The Value of Financial Advisors and Investment Bankers in § 363 Sales, American Bankruptcy Institute Winter Leadership Conference (Dec 2019)
- Panelist, LatAm Restructuring, Global Restructuring Review: 3rd Annual GRR Live New York (Oct 2019)
- Panelist, Distressed Investing Breakfast: Technology's Impact on Distressed Lending & Investing, TMA New York City Chapter (Sept 2018)
- Moderator, Restructuring: What's New?, Global M&A Network's Restructuring + Distressed Investing Forum (July 2018)
- Panelist, Looking at International Insolvency/Restructurings Through the Bankruptcy Code and Beyond, American Bankruptcy Institute (Sept 2014)
- Panelist, Cross-Border Enforcement of Orders in Restructuring Cases, American Bankruptcy Institute Winter Leadership Conference (Dec 2013)

## NEWS

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### MEDIA MENTIONS

- "Weinstein Co. Buyer Owes Pre-Ch. 11 Profits, 3rd Circ. Told," *Law360*, January 13, 2021
- "Named to the National Law Journal's 2020 list of Crisis Leadership Trailblazers," *Citybizlist*, September 3, 2020
- "FTS Ch. 11 Plan OK'd After Fracking Sand Supplier Deal," *Law360*, November 4, 2020
- "DLA Piper Advises Outsourced Customer Care Provider IBEX In US\$90.5 Million IPO," *Citybizlist*, August 14, 2020
- "Mall Of America Takes Sears Lease Row To 2nd Circ.," *Law360*, June 10, 2020
- "Drug Firm Hurt By Coronavirus Gets Ch. 11 Plan OK'd," *Law360*, June 4, 2020
- "Trends in Restructuring and Debt Markets," *DLA Piper*, April 9, 2020
- "Weinstein Film Rights Buyer Spared Paying Pre-Ch. 11 Profits," *Law360*, March 20, 2020
- "Busted Companies Blame Virus for Pushing Them Into Bankruptcy," *Bloomberg News*, March 13, 2020
- "Coronavirus-Disrupted Drug Firm's \$12M Ch. 11 Loan Gets OK," *Law360*, March 12, 2020
- "Valeritas Receives Final DIP Approval After Debtors, DIP Lender Resolve Objection Lodged by UCC," *Americas Middle Market*, March 12, 2020
- "Atty 'Tiger Team' helps win bankruptcy fix for disabled vets," *Law360*, October 6, 2019
- "Petition's 2018 Deal of the Year," *Petition*, December 19, 2018
- "DLA Piper receives pro bono award from National Juvenile Defender Center," May 18, 2018
- "Notice of Appearance: Rachel Albanese, Partner at DLA Piper," *Petition*, April 6, 2018
- "Busted Narrative: Fast Fashion Falters," *Petition*, March 28, 2018
- "Movers," *The National Law Journal*, November 28, 2016
- "On the Move," *New York Law Journal*, November 16, 2016
- "Career Tracker: Lawyers on the move," *Reuters*, October 28, 2016
- "Rachel Albanese Joins DLA Piper's NY Restructuring Practice," *Troubled Company Reporter*, October 27, 2016

- "Partner Moves-Rachel Albanese Joins DLA Piper's NY Restructuring Practice," *Legal Monitor*, October 24, 2016
- "People on the Move," *New York Business Journal*, October 24, 2016
- "DLA Piper recruits partner from Akin Gump in New York," *Global Restructuring Review*, October 24, 2016
- "Movers & Shakers: MetLife boosts board, bounces beagle amid slimdown," *The Deal Pipeline*, October 24, 2016
- "DLA Piper Adds Restructuring Partner From Akin Gump," *Law360*, October 21, 2016
- "Rachel Albanese Joins DLA Piper in New York," *Citybizlist*, October 21, 2016