



Rachel Ehrlich Albanese

Partner
CHAIR, US RESTRUCTURING PRACTICE

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Rachel Albanese is Chair of the U.S. Restructuring practice and a partner in the New York office. She 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.

- Restructuring

In addition, Rachel has been involved in Puerto Rico's current restructuring efforts since their earliest days, when she participated in dozens of meetings with U.S. Congress members and staff to develop the law that ultimately became PROMESA. Subsequently, she has been instrumental in many of the firm's PROMESA-related matters.

Rachel previously served as Co-Hiring Partner of the New York office.

Notable representations:

- Meritz Alternative Investment Management, one of the largest creditors in the PWM chapter 11 case
- A significant LatAm financial services company in restructuring its operations and balance sheet
- Transform Holdco in its dispute with the Mall of America arising out of the Sears chapter 11 case
- LUMA Energy in connection with PREPAs title III case
- Valeritas Holdings, Inc. in its chapter 11 case, the first bankruptcy 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
- Mirae Asset Wealth Management and Mirae Asset Securities & Investments as creditor in several bankruptcy cases
- The administrative agent in the chapter 11 case of MD America
- Spyglass Media Group, LLC (f/k/a Lantern Entertainment LLC) in The Weinstein Company chapter 11 case
- Large creditors in the chapter 11 cases of LATAM Airlines, Intelsat, and Sungard A.S.

- Advantage Capital, in connection with UCC sale of Farmhouse Culture, Inc.
- A leading Mexican EPC company in its out of court restructuring
- Authentic Brands Group as stalking horse purchaser in In re Nine West Holdings, Inc.
- Wheatsheaf Group US, Inc. in the Washington state receivership of TriStrata Group
- Several foreign banks in the Fairfield Sentry chapter 15 litigation
- Amain.com, Inc., as buyer of certain assets in the Advanced Sports Enterprise chapter 11 case
- Ad hoc groups of noteholders in some of the largest chapter 11 cases filed in the U.S.
- Walmart as creditor in connection with certain energy investments
- The official committees of unsecured creditors in In re Chassis 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

Admissions

- New York
- New Jersey

Prior Experience

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.

Recognitions

- Recognized as 2022 Notable Woman in Law, *Crain's New York Business* (2022)
- Selected as Winning Deal Team – 2021 Turnaround/Transaction of the Year – Small Company, *Turnaround Management Association*
- Chosen as Honoree, "Evening on the Lake," *Citizens Committee for New York City* (2021)
- Selected as Winning Deal Team – 2021 Cross-border Turnaround Deal of the Year, Global M&A Network
- Recognized for Bankruptcy/Restructuring New York (Band 4), *Chambers USA* (2021-2022)
- Recognized as DLA Piper's "North American Pro Bono Awards" recipient (2020)
- 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, 2022)
- 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)

For more information, pursuant to New Jersey Lawyer Advertising guidance, please [click here](#).

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 Second Circuit
- 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

- Contributor, Creditor Rights Coalition
- Co-Chair for National Association of Women Lawyers' (NAWL) Practice Area Affinity Group, Women in Bankruptcy & Restructuring
- Advisory Board Member, Women in Funds
- Advisory Board Member, ABI NYC Bankruptcy Conference
- Advisory Board Member, VALCON 2022
- Co-Chair, PLI Bankruptcy & Reorganizations 2022: Current Developments
- International Women's Insolvency and Restructuring Confederation
- American Bankruptcy Institute
- Penn Arts & Sciences Professional Women's Alliance
- Turnaround Management Association

Pro Bono

- Unchained At Last
- Kids in Need of Defense
- Her Justice
- ABI Task Force on Veterans & Servicemembers Affairs
- DLA North American Pro Bono Committee and DLA NY Pro Bono Committee

INSIGHTS

Publications

DeFi participants should prepare to confront the unknown as bankruptcies loom

23 June 2022

Do not assume that a bankruptcy involving a DeFi platform would operate in a manner similar to other financial institution bankruptcy cases.

- Co-author, "Treatment of Healthcare Company Provider Agreements Is Key in Chapter 11 Bankruptcy Sales," *Turnaround Management Association*, September 1, 2021
- Quoted in, "Private equity sponsors expected to help borrowers ride out deadly Delta variant," *Refinitiv*, August 9, 2021
- 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

- Co-chair of conference and panelist, "Bankruptcy & Reorganizations 2022: Current Developments," Practising Law Institute (May 2022)
- Panelist, "VALCON 2022: The Impact of Easy Money on Valuations During the Pandemic," American Bankruptcy Institute (May 2022)
- Panelist, "PWC presents: 2022 Restructuring Outlook," American Bankruptcy Institute (February 2022)
- Panelist, "Taking the Keys? Navigating Restructurings," Refinitiv LPC's Middle Market, Direct Lending & Large Corporate Loans Virtual Conference (April 2021)
- Presenter, "What Is Bankruptcy Mothballing?" Talks On Law (March 2020)
- Presenter, "Termination for Bankruptcy Myth," Talks On Law (March 2020)
- 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

MEDIA MENTIONS

- "Fizzled De-SPAC Sends Cloud Manufacturing Co. Into Ch. 11," *Law360*, November 8, 2022
- "Fast Radius to Sell in Ch. 11," *The Deal*, November 8, 2022
- "Ex-Weinstein Chair Says Hearsay Used In Ch. 11 'Scream' Row," *Law360*, August 5, 2021
- "Spyglass Fires Back At Weinstein Brother's Demand For Pay," *Law360*, July 23, 2021
- "'Silver Linings' team loses appeal over pay following Weinstein bankruptcy," *Reuters*, May 21, 2021
- "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