



Jeffrey D. Sternklar

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General Description of Practice

For over 30 years, my practice has been and remains concentrated in business workouts, including chapter 11 bankruptcies, out of court restructurings, insolvency related civil litigation and transactional matters. I represent secured and unsecured creditors, unsecured creditor committees, bondholders under indentures in securitized transactions, purchasers of assets from bankruptcy estates, plan funders and proponents, chapter 11 debtors, trustees, shareholders and other parties in interest (including acquirers of distressed debt, equipment and real estate lessors, holders of intellectual property licensed to debtors, defendants in avoidance actions, equity holders and DIP lenders).

Listed in *Chambers USA: America's Leading Lawyers for Business*

Certified as a Business Bankruptcy Specialist by the American Board of Certification

Member, Attorney Advisory Committee for the United States Bankruptcy Court for the District of Massachusetts (2006 – present) (Committee advises Court regarding local rules)

Education Co-Chairman, Bankruptcy Section of the Boston Bar Association (responsible for developing and executing on various CLE and other educational programs for Bankruptcy Section of BBA)

Selected cases

SELECTED (PUBLICLY KNOWN) BANKRUPTCY LITIGATION REPRESENTATIONS:

1. Bankruptcy counsel to class action lead plaintiffs representing interests of 22,000 investors in recovering in excess of \$1 billion in In re Life Partners, Inc., in the United States Bankruptcy Court for the Northern District of Texas and in class action litigation pending in the United States District Court for the Northern District of Texas
2. Bankruptcy counsel to decedents estate representatives who recovered recovered approximately \$111 million (CAD) in chapter 11

bankruptcy plan in In re Montreal, Maine & Atlantic Railway, Ltd., in the United States Bankruptcy Court for the District of Maine

3. Represent former officer in D&O claims brought by chapter 7 bankruptcy trustee in In re Capitol Infrastructure, LLC, in the United States Bankruptcy Court for the District of Delaware

4. Successfully represented secured creditor in lawsuit to subordinate secured claim in In re Imperial Capital Bancorp, Inc. (Case No. 09-19431-LA, in the United States Bankruptcy Court for the Southern District of California)

5. Represented multiple defendants in multiple “clawback” adversary proceedings brought by Irving Picard, the SIPC appointed bankruptcy trustee in the “Bernie Madoff” case (In re BLMIS, in the United States Bankruptcy Court for the Southern District of New York)

6. Represent investors in In re Life Partners Holdings, Inc., in the United States Bankruptcy Court for the Northern District of Texas in settlement over \$1.0 billion

SELECTED (PUBLICLY KNOWN) CHAPTER 11 CREDITORS COMMITTEE REPRESENTATIONS:

7. In re Building #19, Inc., Case No. 13-16429-FJB, in the United States Bankruptcy Court for the District of Massachusetts

8. In re Inspiration Biopharmaceuticals, Inc., Case No. 12-18687-WCH, in the United States Bankruptcy Court for the District of Massachusetts

9. In re Northern Berkshire Healthcare, et. al, Case No. 11-31114-HJB, in the United States Bankruptcy Court for the District of Massachusetts

10. In re Quincy Medical Center, et. al, Case No. 11-16394-MSH, in the United States Bankruptcy Court for the District of Massachusetts

11. In re The Education Resources Institute, Case No. 08-12540, in the United States Bankruptcy Court for the District of Massachusetts

12. In re Arena Media Networks, LLC, Case No. 10-10667, in the United States Bankruptcy Court for the Southern District of New York

SELECTED (PUBLICLY KNOWN) PLAN FUNDER/ASSET PURCHASER REPRESENTATIONS

13. Holdco Advisors L.P. Representation of hedge fund bondholder in securitized investments in over 40 failed bank holding company bankruptcy cases (list of appearances available upon request),

- Plan proponent In re Imperial Capital Bancorp, Inc. (Case No. 09-19431-LA, in the United States Bankruptcy Court for the Southern District of California)

and In re FirstFed Financial Corp., (Case No. 2:10-bk-12927-ER, in the United States Bankruptcy Court for the Central District of Florida);

- Successfully litigated efforts to subordinate Holdco's claims pursuant to subordination provisions of applicable indenture agreements (In re Imperial Capital, supra, In re AmericanWest Bancorporation, Case No. 10-06097, in the United States Bankruptcy Court for the Eastern District of Washington);
- Successfully opposed approval of settlement based upon mistaken understanding of priority of bondholder claims and standing of bondholders to assert claims in In re Community Bancorp, Case No. 10-20038, in the United States Bankruptcy Court for the District of Nevada, In re Southern Community Bancshares, Inc., Case No. 09-13159, in the United States Bankruptcy Court for the Northern District of Georgia

SELECTED (PUBLICLY KNOWN) SECURED LENDER REPRESENTATIONS:

1. In re M&M Produce, Inc., in the United States District Court for the District of Connecticut (represent principal secured lender in PACA dispute and borrower bankruptcy)
2. In re Headlee Corporation, et. al, Case No. 09-38420 (CGM), in the United States Bankruptcy Court for the Southern District of New York (represented principal secured lender)

SELECTED CHAPTER 11 DEBTOR/ESTATE FIDUCIARY REPRESENTATIONS:

1. In re New England Compounding Pharmacy, Inc., Case No. 12-19882-HJB, in the United States Bankruptcy Court for the District of Massachusetts (represented chapter 11 trustee)
2. In re The Rarities Group, Inc., Case No. 03-18371, in the United States Bankruptcy Court for the District of Massachusetts (serving as elected chapter 7 trustee)
3. In re TLC Americas, LLC, Case No. 10-17716-JNF, in the United States Bankruptcy Court for the District of Massachusetts

Education

J.D., Duke University School of Law 1983,

Research Assistant, Prof. James D. Cox (Corporate and Securities Law)

B.A., Psychology, State University of New York at Binghamton, NY 1980 (Phi Beta Kappa).

Professional Experience

January, 2015 – Present: Principal Jeffrey D. Sternklar LLC, Boston, MA

May, 1999 – December, 2014: Equity Partner, Duane Morris, LLP,
Boston, MA

November, 1986 – May, 1999: Chairman, Bankruptcy Practice, Burns &
Levinson, LLP, Boston, MA

July, 1985 – November, 1986: Associate, Foster, Conner, Robson &
Gumbiner, Greensboro, NC

June, 1983 – July, 1985: Associate, Boyar, Norton & Blair, Houston, TX