



## Jason M. Rudd

### **PARTNER**

Dallas

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Jason M. Rudd leads Wick Phillips' restructuring, creditors' rights, and bankruptcy practice, advising clients in all stages of the Chapter 11 and Chapter 7 process, including related litigation and corporate transactions.

Jason represents debtors, secured and unsecured creditors, and creditor committees in Chapter 11 cases. In Chapter 7 proceedings and post-confirmation matters, he represents trustees and litigation trusts in recovering and administering estate assets, including the prosecution of preference, fraudulent transfer, breach of fiduciary duty, alter ego, and other insolvency-related litigation. In all matters, Jason works closely with clients and their advisors and accountants to quickly provide cost-effective options to address the often complex issues faced in insolvency situations.

In addition, Jason advises distressed companies and their officers, directors, and other fiduciaries in pre-bankruptcy planning and in pursuing various bankruptcy alternatives. These representations include coordinating out-of-court workouts, wind downs and debt restructurings, assignments for the benefit of creditors, and receiverships. He also counsels parties in the sale or purchase of assets in financial distress situations.

### **Awards & Honors**

- *The Best Lawyers in America*® - Bankruptcy and Credit Debtor Rights/Insolvency and Reorganization Law, Litigation - Bankruptcy (2021-2024)
- Best Lawyers in Dallas, *D Magazine* (2020-2023)
- Texas Super Lawyers Rising Star, *Texas Monthly and Law & Politics Magazine* (2006, 2008-2011, 2015)
- Houston's Best Lawyers, *H Texas Magazine* (2010)

### **Representative Matters**

#### *Debtor Representations*

- Debtors' counsel for the largest commercial crane retailers in the southeastern United States, with over \$100 million in senior secured debt in their Chapter 11 bankruptcy cases. Important issues included prepetition planning, debtor in possession financing, cash collateral, 363 asset sales and plan formulation and confirmation.
- Debtors' counsel for a nation-wide network of commercial roofing companies from pre-bankruptcy planning through plan confirmation. He handled issues related to construction



project bonding and surety issues, enforcing the automatic stay, secured creditor negotiations and 363 asset sales.

- Debtor's counsel for residential mortgage banker and broker with 60 branch offices in 35 states in the wind-down of its operations through a liquidating Chapter 11 plan. This representation included the closing of branch offices and handling claims related to mortgage loan wholesale and correspondent agreements.
- Debtor's counsel for international real estate holding company in the sale of over \$30 million in undeveloped real estate through a Chapter 11 plan of reorganization.

#### *Creditor Representations*

- Lead counsel to secured creditors in numerous Chapter 11 proceedings. Specific matters include cash collateral order negotiations, DIP financing issues, opposing plan exclusivity, formulating competing plans of reorganization, litigating lien priority disputes and negotiating plan of reorganization treatment.
- Lead counsel for unsecured creditor clients on a variety of bankruptcy issues, including obtaining critical vendor treatment for prepetition claims, asserting reclamation rights, prosecuting administrative expense claims and conducting post-petition business with Chapter 11 debtors.
- Lead counsel to mortgage lenders and servicers in lien avoidance, TILA and RESPA litigation and as secured creditors in various bankruptcy cases.
- Counsel to various other stake holders in Chapter 11 and Chapter 7 proceedings. Jason has represented equity holders and former officers and directors and in obtaining the appointment of an examiner, seeking the appointment of a Chapter 11 trustee, contesting plan confirmation, investigating claims against the debtors' financial advisors and secured creditors and in obtaining the conversions of a debtor's Chapter 11 case to one under Chapter 7.

#### *Committee Representations*

- Counsel for the Official Committee of Unsecured Creditors of PJJ Management Corporation and its affiliates. Jason served as general bankruptcy counsel for the unsecured creditors committee in the Chapter 11 cases of these specialty engineering and manufacturing debtors. Issues included contesting cash collateral and plan confirmation, investigating claims against the debtors' officer and directors and certain secured creditors and negotiating and obtaining improved treatment for unsecured creditors in the debtors' Chapter 11 plan of reorganization.
- Counsel for the Official Committee of Unsecured Creditors of Logix Communications Corporation. Jason represented the unsecured creditors committee in the Chapter 11 bankruptcy of this telecommunications competitive local exchange carrier in Texas, Louisiana, Oklahoma and Florida. Case issues included investigating lien avoidance and debt recharacterization claims, making a Louisiana World demand to allow the unsecured creditors committee to bring claims on behalf of the debtor's estate, negotiating the recovery for and protecting the interests of unsecured creditors.



#### *Trustee and Receiver Representations*

- Lead bankruptcy counsel for the trustee of Howrey LLP, one of the largest law firm bankruptcies in U.S. history, handling the wind down of operations and offices throughout the U.S. and Europe, collecting millions of dollars in accounts receivable, administering the disposition of hundreds of thousands of cartons of former client files and coordinating secondary liquidation proceedings in foreign jurisdictions.
- Special litigation counsel for the Chapter 7 trustee in prosecuting fraudulent transfer, breach of fiduciary duty, alter ego and single business enterprise claims against over thirty domestic and foreign defendants. The litigation sought to unwind a complex series of transactions involving the transfer of millions of dollars in real estate, securities and partnership interests to entities in the U.S., Australia and China.
- General counsel for the Warranty Gold Liquidation Trust (a trust created by the plan of reorganization confirmed in the In re Warranty Gold, Ltd. Chapter 11 case) to prosecute claims and collect assets for the benefit of over 60,000 consumers holding extended car warranties issued by the now defunct debtor.
- Counsel for temporary and permanent receivers appointed in SEC and FTC receivership actions, handling the administration and sale of assets, establishment and administration of investor and creditor claims procedures and other receivership estate matters.

#### **All Practice Areas**

- Banking and Finance
- Bankruptcy
- Bankruptcy and Creditors' Rights
- Corporate and Finance
- Real Estate Litigation

#### **Education**

- Baylor University School of Law (J.D., 2000)
- Kentucky Wesleyan College (B.A., magna cum laude, 1997)

#### **Admissions**

- Texas
- United States District Court for the Northern, Eastern, Southern and Western Districts of Texas