

# Jonathan D. Marshall

## Associate

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Jonathan Marshall advises financial institutions in a range of complex financial transactions, with a concentration on corporate restructurings and loan workouts. He regularly represents lenders, official and *ad hoc* committees of creditors and equity security holders, debtors, and strategic parties in both in- and out-of-court restructurings.

Prior to joining Choate, Mr. Marshall was a corporate restructuring and bankruptcy attorney at Brown Rudnick LLP, where his practice focused on creditor-side representations in all facets of Chapter 11 restructurings, as well as complex litigation and corporate transactions arising therefrom. He also supported and contested bids for debtor-in-possession financing and prosecuted and managed avoidance actions, from the filing of complaints to the settlement and trial stages. Mr. Marshall also has experience representing financial institutions in state court indenture litigation.

Mr. Marshall has been named a “Rising Star” by *Super Lawyers* every year since 2013. He has served on the ABI Emerging Insolvency Professionals Committee since 2015 and as a contributing author for *Bloomberg Law on Bankruptcy* since 2014.

### EDUCATION

Syracuse University College of Law

JD, 2010, *summa cum laude*

Maxwell School of Citizenship and Public Affairs

MA, 2010

S.I. Newhouse School of Public Communications

MS, 2010

Texas A&M University

BA, 2006

## PRACTICE FOCUS

### Finance & Restructuring

Represents senior and second lien secured lenders, official and *ad hoc* committees, borrowers, and equity sponsors in a range of financing transactions, primarily related to corporate restructuring.

## REPRESENTATIVE ENGAGEMENTS

- Representation of Agent in connection with \$200 million debtor-in-possession revolving credit facility in the Chapter 11 proceedings of BPS U.S. Holdings, Inc.
- Representation of a minority secured noteholder in the Chapter 11 proceedings of Horsehead Holdings Corp. in its successful attempt to participate in a rights offering for the reorganized company.
- Representation of a consortium of second lien secured noteholders, as well as their indenture trustee, in the Chapter 11 proceedings of Energy Future Holdings.

**ADMISSIONS**

Massachusetts

New York

**PRACTICE AREAS**

Finance &amp; Restructuring

- Representation of strategic investor in its bid to provide an alternative plan and debtor-in-possession financing for a major telecommunications company in its Chapter 11 restructuring.
- Representation of purchaser in its acquisition of the mortgage origination business and Fannie Mae mortgage servicing business of the bankruptcy estate of GMAC/ResCap for a purchase price of approximately \$500 million.
- Representation of a consortium of institutional investors in state court litigation with a major retailer regarding an alleged default under multiple tranches of debt.
- Representation of retirement fund as debtor-in-possession in landmark Chapter 11 proceeding of the Northern Mariana Islands Retirement Fund, testing whether a public pension fund can reorganize through the Chapter 11 process.
- Representation of a trustee for post-confirmation litigation trust in the Chapter 11 proceedings of Lyondell Chemical Company, prosecuting a number of preference and fraudulent conveyance actions.
- Representation of consortium of preferred shareholders in the Chapter 11 proceedings of Washington Mutual, Inc., representing the largest bank failure in U.S. history.

**PROFESSIONAL AND COMMUNITY INVOLVEMENT**

Mr. Marshall is actively involved in the Volunteer Lawyer's Project of the Boston Bar Association, having represented a number of pro bono clients in their Chapter 7 cases. He has been named multiple years to the Pro Bono Honor Roll for the United States Bankruptcy Court for the District of Massachusetts.