



## Daniel Carrigan

Senior Counsel

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Dan Carrigan has engaged in a national bankruptcy and insurance insolvency practice for nearly 35 years.

Based in the Firm's Washington, D.C. office, Dan has represented clients in the telecommunications, hospital, resort/golf course industries, as well as coal mining, coal processing, oil and gas exploration/pipeline and real estate debtors, the official committees of secured, unsecured, and reclamation creditors, the official committees of equity interest holders, national banks in their capacities as indenture trustees for defaulted bonds, the joint boards of Taft-Hartley pension funds, mortgage servicers, title companies, the RTC and the FDIC in their capacities as conservators and receivers, as well as other secured and unsecured creditors, in Chapter 11 cases and workouts.

He has served as counsel for debtors' former professionals as defendants in deepening insolvency, professional malpractice, and breach of fiduciary duty litigation, as well as for former shareholders of public companies as defendants in actions to avoid leveraged buy-out (LBO) related transfers as fraudulent conveyances. Dan also served as counsel for the conservators and liquidators of property and casualty insurers and as counsel for a Federal Court appointed receiver in an SEC enforcement action. An increasingly larger portion of his practice involves the representation of railroad clients in cases involving federal preemption of state law under the Rail Passenger Service Act and financial institution clients in cases involving federal preemption of state law under FIRREA and the Bankruptcy Code.

Since 2012, Dan has been recognized in *Chambers USA* as a leading bankruptcy and insolvency attorney and was named to the Capital Pro Bono Honor Roll in 2012. He served in the U.S. Army, Judge Advocate General Corps at Fort Devens, Massachusetts, as a law clerk to the Honorable Henry Evans, United States Bankruptcy Court for the District of Maryland, and is a master of the Congressman Walter Chandler American Bankruptcy Inn of Court.

## Representative Matters

- Represented joint boards of trustees of multi-employer Taft-Hartley pension/health and welfare funds as major creditors and members of creditors' committees in the *Wickes Companies, Inc. et al.* (California) and *Liberal Markets, Inc. et al.* (Ohio) Chapter 11 proceedings.
- Represented national banks in Philadelphia and Boston in their capacities as indenture trustees for multiple defaulted bond issues in the *North American Car Corporation, et al.* (California) and *Wheeling-Pittsburgh Steel Corporation, et al.* (Pennsylvania) reorganizations.
- Represented the committee of secured creditors in the liquidation, pursuant to a negotiated plan, of a public land development, sales, construction, property management and brokerage company in the *Unishelter, Inc.* (Wisconsin) Chapter 11 case.
- Bankruptcy counsel for the debtors in the reorganization of the Benjamin Coal Company and the Swatara Coal Company (Pennsylvania) reorganization.
- Seconded for two years as in-house counsel to publicly held parent of property and casualty insurance companies (core business) and their affiliates in the oil and gas, telecommunications and travel agency (non-core) businesses, to formulate and implement plans for the divestment of the non-core businesses and the run-off of investments in publicly held bonds through bankruptcy proceedings, receiverships and workouts.

- In *Casey OIE, DC, individually and on behalf of others similarly situated* (New Jersey), was counsel for defendant insurer in defense of putative national class action seeking damages for the insurer's alleged practice of systematically underpaying its insured's medical bills in violation of applicable state law and the PIP and/or MedPay provisions of no fault automobile insurance policies issued by the insurer. The U.S. District Court denied class certification and dismissed the case with prejudice in response to the insurer's motions to dismiss and for summary judgment.
- Counsel for debtor in the Chapter 11 case for Saint Mary Hospital (which was founded in 1864 and operated by the Franciscan Health System in Philadelphia); the hospital property was sold, cleared of asbestos, subdivided and converted into low-income apartments for seniors and an adult day health care center.
- Served as counsel to the Statutory Liquidator for the State Board of Insurance of the State of Texas, and Permanent Receiver of the Texas Fire and Casualty Company in the *Allied Fidelity Corporation, et al.* (property and casualty insurance holding company and subsidiaries) Chapter 11 cases.
- Lead counsel for purchaser of whole banks or selected assets from the FDIC as Receiver of failed financial institutions in federal and state court litigation involving federal preemption of state law and exhaustion of administrative remedies under FIRREA (California, Florida, Georgia, Maryland, Missouri, Minnesota, New Mexico and Virginia).
- Counsel, first for the Resolution Trust Corporation as Conservator/Receiver of a financial institution, and then for the debtors in the seven *Landmark Land Company of Carolina, Inc. et al.*, bankruptcies and related litigation (South Carolina); these consolidated Chapter 11 cases involved in excess of \$1.3 billion in claims and real estate assets, including nine golf/resort facilities in the United States.



## Professional Honors & Activities

- Listed in *Chambers USA* as a leading Bankruptcy/Restructuring lawyer in the District of Columbia since 2012
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Listed in *The Best Lawyers in America*® for Bankruptcy Litigation, 2019 – 2024; Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2020 – 2024
- Listed in *Washington D.C. Super Lawyers* in Bankruptcy: Business, 2015 – 2024
- Capital Pro Bono Honor Roll, 2012, 2013
- Named among *Washingtonian* Top Lawyers, 2007
- ABA Chapter 11 Subcommittee Task Force on State and Regulatory Insolvency Proceedings (Chairman), 1988 – 1992
- Congressman Walter Chandler American Inn of Court (Master)



## Education

- Georgetown University Law Center, J.D., 1976
- Georgetown University, B.A., 1971, cum laude, Phi Beta Kappa



## Admissions

- District of Columbia, 1996
- Iowa, 1976
- Pennsylvania, 1984
- Wisconsin, 1981