



Jan M. Hayden

Senior Counsel

New Orleans | 504.566.8645 | jhayden@bakerdonelson.com

Jan Hayden has handled bankruptcy and insolvency issues for her clients for more than 42 years.

Ms. Hayden has practiced in the corporate workout and bankruptcy arena for over 42 years. As a member of the Financial Services Department, her practice is concentrated on assisting clients with restructuring and creditors' rights both in and out of bankruptcy proceedings. She has represented creditors and debtors in mass tort bankruptcies. She represents trustees, debtors-in-possession, committees, and creditors in a broad spectrum of industries that includes manufacturing, real estate, hotels, gambling, nursing homes, airlines, convenience stores and retail operations as well as individuals. She has represented parties in the oil and gas sector since the early 1980s. Some of her more unique clients have been an alligator farm, a horse racing track and a world's fair.

Ms. Hayden is a past president of the New Orleans Bar Association and serves on the American College of Bankruptcy Board and as chairperson of the American College of Bankruptcy Foundation Board. She also served two terms as the chairperson of the Consumer Protection, Lender Liability and Bankruptcy Section of the Louisiana State Bar Association. For several years she served as co-chair of the Louisiana State Bar Association's Continuing Legal Education Committee and served as the chair of the State's MCLE Committee.



Case Studies

- Baker Donelson Represents Unsecured Creditors' Committee of Remington Outdoor Company in Chapter 11 Proceedings - Bankruptcy



Representative Matters

- Represented the Debtor in Possession engaged in the oilfield service industry in connection with the successful reorganization of \$60 million in debt.
- Represented 30 nursing home entities throughout the United States in confirming a plan within excess of \$85 million of claims.
- Recently represented the Unsecured Creditors' Committee in a restructure of more than \$230 million in debt of 14 debtors in the oilfield service industry and successfully doubled the recovery of unsecured creditors.
- Represented both debtors and unsecured creditors' committees in a number of convenience store operator cases.
- Represented several debtors in possession in numerous apartment complex cases for properties located in Louisiana and Texas.
- Represented debtors, creditors and equity holders in distressed hotel operations both in and out of Chapter 11 proceedings.
- Represented the Senior Lender and DIP Lender in the successful representation of an oil and gas production company.
- Represented the trustee, creditors and equity interests in various nursing home matters, including a multi-state matter pending in the Western District of Louisiana involving more than 30 debtors.
- Represented the debtors-in-possession in confirming liquidating plans in the Louisiana World's Fair, Jazzland and Fairgrounds Corporation.

- Represented various purchasers of assets through 363 sales and plans of reorganization including the acquisition of a world-famous restaurant in the French Quarter.
- Represented the unsecured creditors committee in the Knight Energy Holdings bankruptcy proceeding involving more than \$250 million in defaulted debt. Negotiated with the debtor, old equity and the secured lender to secure 2.5 times the initial offer made to the unsecured creditors.
- Represented an oil and gas exploration company, which was also a debtor-in-possession, in a Chapter 11 bankruptcy proceeding. In under six months, the debtor was able to confirm a consensual plan that converted its debt to equity, and the debtor emerged as an operating entity. The matter represents one of the few instances in which an oil and gas exploration company successfully confirmed a restructuring plan in a tightened economic climate.
- Represented two creditors holding a secured claim and a priority claim, respectively, totaling \$8.8 million in a construction company's Chapter 11 proceeding.
- Represented a third-party bidder in connection with an 11 USC 363 bid for 13 offshore jack-up drilling rigs. The initial stalking horse bid was \$19,430,000, and the ultimate successful bid by the stalking horse bidder was \$23,690,000, resulting in a realization of an additional \$4,260,000 for the bankruptcy estate.
- Represented an oil and gas company in its capacity as liquidating trustee in the Virgin Oil Liquidating Trust bankruptcy proceedings. Achieved the tentative settlement of disputes in multi-party litigation and mediation arising out of the liquidation of the bankrupt oil company's \$5 million in assets, including the resolution of competing interests of the government's requirements for abandoned oil and gas assets and those of creditors seeking at least a minimal distribution.
- Successfully prosecuted the contested application of an advisory firm serving the energy sector for compensation in excess of \$1 million under Section 328 from attack by a secured lender. The attack represented an effort to set aside statutory protection for professionals. A loss would have resulted in significant upheaval of the law governing compensation for professionals in bankruptcy proceedings.
- Represented equity holders who personally guaranteed more than \$20 million in obligations of several well service companies undergoing Chapter 11 reorganization. Resolved all the individuals' financial exposure via workout arrangements and sales, without the need to seek bankruptcy relief.
- Defended an energy company in an action to enforce a \$1.78 million judgment against it. Settled the case on favorable terms.



Professional Honors & Activities

- Fellow – American College of Bankruptcy
- Board Member – American College of Bankruptcy (2018 – present)
- Board Member – American College of Bankruptcy Foundation, Chair (2022 – present); Vice Chairperson (2019 – 2020)
- Member – New Orleans, Louisiana, American and Federal Bar Associations
- President – New Orleans Bar Association Board of Directors (2022 – 2023)
- President – New Orleans Bar Foundation (2023 – present)
- Co-chair – The New Orleans Bar Association Delegation to Paris
- Fellow – Louisiana State Bar Foundation
- Former Chairperson – Louisiana State Bar Bankruptcy Section
- Fellow – American Bar Foundation
- Member – American Bankruptcy Institute
- Named to Louisiana State University Hall of Fame
- Member – Board of Directors for Turnaround Management Association, New Orleans Chapter
- Member – IWIRC, Member of the Board of the Louisiana Network
- Former Chair – Pro Bono Project of New Orleans
- Former Chair – Second Harvest Food Bank of Greater New Orleans and Acadiana Board

- Named to the 2023, 2022, and 2020 *Lawdragon* 500 Leading U.S. Bankruptcy and Restructuring Lawyers
- Listed in *The Best Lawyers in America*® for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (1993 – present); Litigation - Bankruptcy (2011 – present)
- Named the Best Lawyers® 2013 and 2010 Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law "Lawyer of the Year" in New Orleans; 2014 and 2012 Bankruptcy Litigation "Lawyer of the Year" in New Orleans
- Listed in *Chambers USA* as a leading Bankruptcy/Restructuring lawyer in Louisiana (2010 – present)
- Listed by *Louisiana Super Lawyers* as one of the top 25 female attorneys in Louisiana (2007 – 2024); one of the top 50 attorneys in Louisiana and New Orleans (2007– 2024); one of the top 10 lawyers in Louisiana (2007 – 2023); ranked as the #1 lawyer in Louisiana (2013)
- Recognized as a "Top Lawyer" by *New Orleans Magazine* (2013, 2015 – 2023)
- Recipient – *New Orleans City Business* Leadership in Law Award (2010, 2015)
- Named among "Ones to Watch" by *New Orleans City Business* (2013)
- Named among "Women of the Year" by *New Orleans City Business* (2012)
- Recipient – Michelle Mendez Serviam Award, Fifth Circuit Bankruptcy (2016)
- Recipient – Woman of the Year in Restructuring Award, International Women's Insolvency & Restructuring Confederation (2011)
- Recipient – Louisiana State Bar Association Pro Bono Publico Award (2009)



Publications

- "Cautionary Tales Provide Lessons From Lack of Bankruptcy Planning" (April 2022)
- "Beyond the Gavel: Mentors for Life," *Women's Initiative Newsletter* (October 2021)
- "A Conversation with Jan M. Hayden: Making Dollars and Cents of a 40-Year Career in Bankruptcy and Restructuring," *Trial Spotlight Newsletter* (July 2021)
- "Baker's Dozen: Women Leaders We Admire," *Women's Initiative Newsletter* (August 2019)
- Co-author – "New Laws, Regulations Complicate Energy Company Chapter 11s," *Journal of Corporate Renewal* (September 2015)
- Author – "Representing Creditors in the Changing Chapter 11 Landscape," *Creditors Rights in Chapter 11*, Aspatore (2014)



Speaking Engagements

- Panelist – "Mindfulness in Practice: Why DEI Remains Relevant in the College," American College of Bankruptcy Annual Meeting (March 2024)
- Panelist – "Notice! Huh! Yeah! What Is It Good For! Absolutely Everything!," Louisiana State University Annual Bankruptcy Law Conference (November 2023)
- Panelist – "The ABC's of SVB: The Collapse of Silicon Valley Bank, The Current Economic Landscape and What It Means for Lawyers," The Tulane Inn of Court (April 2023)
- Panelist – "Understanding Implicit Associations," hosted by the Diversity, Equity, and Inclusion Committee of the United States Bankruptcy Court for the Southern District of Florida (March 2023)
- Panelist – "But Wait! There's More! Fiduciary Duties, Gifting, Equitable Mootness in Chapter 11," Louisiana State University Annual Bankruptcy Law Conference (November 2022)
- Panelist – "Gender in Judging IV: Communications Between the Bench and Bar and Identifying Potential Implicit Bias Pitfalls," ABA CLE Program (October 2022)
- Co-presenter – "Chapter 7 for New Practitioners: A Nuts and Bolts Training," The Pro Bono Project (July 2022)
- Co-presenter – "Third Party Releases: Will We Find Out If The Supremes Really Are Textualists," Louisiana State Bar Association (April 2022)

- Speaker – "Dealing with Lenders During a Pandemic," Jefferson Parish Bar Association (November 2021)
- Speaker – "Bankruptcy Tsunami in 2022? How to Avoid the Surge," Louisiana State Bar Association (June 2021)
- Co-presenter – "International Financing and Restructuring," The New Orleans Bar Association Delegation to Paris (May 2019)
- Speaker – "Third Party Releases and Exculpations," ABA Business Bankruptcy and NCBJ Annual Meeting, San Antonio, Texas (November 2018)
- Panelist – "Commercial and Chapter 11 Issues and Developments," 24th Annual Bankruptcy Law Seminar, LSU Law Center (November 2018)
- Speaker – "Professionalism: Even After Go Set a Watchman, Atticus Finch is not out of style!," LSU Law Alumni (October 2018)
- Speaker – "Securing Payments for Panama" and "Vessel Seizures & Bankruptcy," New Orleans Bar Association 2018 Delegation to the Republic of Panama (September 2018)
- Moderator – "Ethics Truth of Consequences," New Orleans Bar Association Bench Bar Conference (April 2018)
- Panelist – "Commercial Bankruptcy Decisions That Impact Consumer Bankruptcy Cases, and Vice Versa," Fifth Circuit Bench Bar Conference, New Orleans (February 2018)
- Panelist – "Catch Me if You Can: Strategies to Stop the Shell Game – Successor Liability," National Association of Bankruptcy Trustees Annual Convention (2017)
- Speaker – "Professional ... Who is and Who is Not," New Orleans Bar Association (December 2017)
- Speaker – "Litigating in Bankruptcy Court: First Things First – Don't Tell the Bankruptcy Court You Know Nothing About Bankruptcy...and Other Helpful Hints," Louisiana State Bar Association (December 2017)
- Co-presenter – "In the Oil Patch, 363 Sales Ain't What They Used to Be," American College of Bankruptcy, Fifth Circuit Program (April 2016)
- Speaker and Co-author – "O.K. Since Marathon, We Have Been Talking About Bankruptcy Court's Authority to Decide...Did Wellness International Settle Anything?," Louisiana State Bar Association (December 2015)
- Speaker – "Chapter 11: Representing the Trustee, the Debtor, the Unsecured Creditors Committee," Louisiana State Bar Association (December 2015)
- Speaker – "Bankruptcy for Non Bankruptcy Lawyer," Association of General Counsel (November 2015)
- Speaker – "The Interplay of Bankruptcy and Oil and Gas Law," New Orleans Bar Association (October 2015)
- Speaker – "Bankruptcy for Non Bankruptcy Lawyers," Louisiana State Bar Association's Annual Meeting, San Destin, Florida (June 2015)
- Speaker – "Preparing for the Worst? What to Do When Your Debtor Declares Bankruptcy," National Oil Service and Supply Group Meeting of NACM Gulf Coast, Houston, Texas (March 2015)
- Speaker – "Litigations Skill Panel," ABI Consumer Bankruptcy Conference (January 2015)



Webinars

- COVID-19 and the Hospitality Industry: Key Restructuring Issues for Hotels and Restaurants (April 2020)
- Coronavirus: Issues Affecting the Oil and Gas Industry (March 30, 2020)



Education

- Paul M. Hebert Law Center of Louisiana State University, J.D., 1979
 - Order of the Coif and *Law Review*

- Louisiana State University, B.A., 1976



Admissions

- Louisiana, 1979
- All District Courts of Louisiana
- U.S. Fifth Circuit Court of Appeals