



## Daniel J. Ferretti

Shareholder

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Dan Ferretti is a creditors' rights, restructuring and bankruptcy attorney and has extensive experience representing creditors in all aspects of commercial lending and handles bankruptcies, workouts, loan sales, foreclosures and deeds-in-lieu, REO sales, UCC sales, receiverships, and originations involving commercial loans secured by real and personal property.

Mr. Ferretti has extensive experience in all aspects of commercial lending and handles bankruptcies, workouts, loan sales, foreclosures and deeds-in-lieu, REO sales, UCC sales, receiverships, and originations involving commercial loans secured by real and personal property. Mr. Ferretti began his practice in Baker Donelson's Birmingham office in 2009 before moving to the Firm's Houston office in 2015, where he has practiced since.

His experience includes representing creditors, creditors' committees, debtors, and trustees/receivers in bankruptcies and out-of-court debt restructurings. Mr. Ferretti has participated in several energy bankruptcies, including Offshore Specialty Fabricators, Virgin Oil, Knight Energy, and Rooster Energy. Mr. Ferretti's clients are located throughout the United States and include local, regional, and national banks, servicers for commercial mortgage-backed securities trusts, and non-traditional lenders/note buyers.

### Representative Matters

A small sample of bankruptcy cases in which Mr. Ferretti has participated is below.

- *In re Offshore Specialty Fabricators, LLC*, No. 17-35623 (Bankr. S.D. Tex.): representing official unsecured creditors' committee in chapter 11 case of barge operator.
- *In re Virgin Oil Co., Inc.*, 09-11899 (Bankr. E.D. La.): represented liquidating trustee, as replacement counsel, in closing case, settling outstanding litigation (including decommissioning liability with U.S. government), and making distributions to creditors.
- *In re North Alabama Science Center, Inc.*, No. 14-83200 (Bankr. N.D. Ala.): represented secured creditor in chapter 11 case of non-profit children's museum. Obtained stay relief on behalf of client and liquidated collateral after post-confirmation plan default.
- *In re Harrington*, No. 14-32535, (Bankr. W.D. Ky.): represented secured creditor in individual chapter 11 case of a hotel owner. Case was ultimately dismissed via a consensual dismissal order, with the client and borrower entering into a post-dismissal loan modification.
- *In re J & E Land Company, Inc.*, No. 13-02081 (Bankr. N.D. Ala.): represented secured creditor in real estate company's chapter 11. After trustee was appointed and liquidating plan confirmed, client was ultimately paid in full upon sale of collateral.
- Represented a national bank as lead agent in a defaulted corporate loan relationship with six different credit facilities with an original principal balance in excess of \$110 million, resulting in a full payoff.
- Represented buyer in commercial loan portfolio acquisition from FDIC.
- Represented seller in multiple commercial loan portfolio sales, with each sale exceeding 100 loans.
- Represented secured lender in origination of real estate loan facility secured by six retail locations in Texas and Alabama.



### Professional Honors & Activities

- Member – American Bar Association

- Member – Turnaround Management Association, Houston Chapter
- Member – American Bankruptcy Institute
  - Recipient – ABI Medal of Excellence (2009)



## Publications

- Co-author – "'Jagged Little Pill': Substantive Consolidation in Health Care Insolvencies," *AHLA Weekly* (June 2018)
- Co-author – "Changing the Risk Analysis: Eleventh Circuit Issues Opinion Supporting Non-Debtor Releases in Chapter 11 Plans," *The Secured Lender* (October 2015)
- Comment – Eviction without Rejection – the Tenant's Bankruptcy Dilemma: Bankruptcy Code Sections 363(f) and 365(h)(1)(A) and the Divergent Interpretations of *Precision Industries, Inc. v. Qualitech Steel SBQ, LLC* and *In re Haskell*, 39 *Cumberland Law Review* 707 (2009)
- Co-author – "Recent Trends in Critical Vendor Jurisprudence Post-Kmart," *Norton Bankruptcy Law Adviser* (April 2009)



## Education

- Cumberland School of Law, J.D., magna cum laude (2009)
  - Writing Editor – *Cumberland Law Review*
  - George M. Stewart Banking Award (2008 – 2009)
- University of Notre Dame, B.A., cum laude (2005)



## Admissions

- Texas (2015)
- Alabama (2009)
- U.S. District Courts for the Northern, Southern, Eastern, and Western Districts of Texas (2016)
- U.S. District Courts for the Northern, Middle, and Southern Districts of Alabama (2009)