



James P. Roberts

Shareholder

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James Roberts, shareholder in Baker Donelson's Birmingham office and a member of the Corporate Restructuring and Bankruptcy Group, concentrates his practice on a variety of complex bankruptcy, restructuring, and commercial litigation matters.

For more than 10 years, Mr. Roberts has represented and advised major lending institutions, investors, and borrowers with respect to commercial loan restructurings, bankruptcies, workouts, and commercial foreclosures, as well as secured and unsecured lines of credit.

Mr. Roberts has experience representing debtors, secured creditors, and plan administrators in Chapter 11 bankruptcies; Article 9 UCC sales, including foreclosure of equity interests, commercial and industrial equipment, and other pledged collateral; Section 363 sales; disorderly wind-downs; and litigation concerning preferences and fraudulent transfers.

In addition to his bankruptcy practice, Mr. Roberts has significant financial services litigation experience in both federal and state courts, particularly in fraud-related matters for bank clients involving allegations of check, wire, and electronic payments fraud. He has represented clients to favorable results at all litigation stages in various bankruptcy courts, U.S. District Courts, and U.S. Courts of Appeal, as well as in Alabama, Florida, and Delaware state courts.

Mr. Roberts takes pride in being involved in his community. He volunteers with and is a former board member of Volunteer Lawyers Birmingham, serves on the Board of Trustees for Advent Episcopal School, and is a mentor to the Bryan K. Fair Chapter of the Black Law Students Association at the University of Alabama and the Black Law Students Association at Cumberland School of Law.

Representative Matters

- Served as counsel to an international manufacturer of firearms, ammunition, and related products in Chapter 11 proceedings, resulting in the sale of the company and its affiliates' various lines of business and the confirmation of a liquidation plan.
- Obtained summary judgment on all counts for a Fortune 500 bank in 16 jointly administered adversary proceedings seeking more than \$25 million in damages on claims alleging fraudulent transfer, unjust enrichment, and aiding and abetting fraud and breach of fiduciary duty.
- Facilitated a \$25 million Section 363 sale of a 553,868 square-foot manufacturing plant and a 242,514 square-foot office space on behalf of a Chapter 11 plan administrator.
- Represented a Section 363 sale purchaser and achieved a favorable result in litigation concerning purchased assets against a statutorily created private trust fund.
- Counsel to a family office in an Article 9 UCC foreclosure of equity interest in an entity owning hotel property.
- Served as counsel to the post-confirmation administrator of a Chapter 11 plan, facilitating implementation of the plan, the claims resolution process, asset liquidation, and the distribution of assets to creditors.
- Secured a final judgment in favor of a Fortune 500 bank in the U.S. District Court for the Middle District of Alabama, defeating borrower claims based on unsigned agreements following the bank's

acquisition of a failed institution. Successfully defended the judgment on appeal, obtaining an affirmance from the Eleventh Circuit Court of Appeals.

- Led the workout of a distressed multi-facility loan secured by industrial equipment for a Midwest regional bank, negotiating with stakeholders to avoid a Chapter 11 filing and conducting an Article 9 UCC sale that achieved full recovery for the client.
- Represented and obtained summary judgment in favor of the indenture trustee of general obligation warrants in an adversary proceeding brought in a Chapter 9 bankruptcy case over a dispute concerning ownership of pledged tax revenues.
- Secured summary judgment for a Northeast regional bank in a lender liability action challenging the bank's exercise of rights and remedies after deeming itself insecure.
- Obtained summary disposition for a Fortune 500 bank in an arbitration action brought by a deposit account holder and borrower asserting state law tort and equitable claims related to alleged unauthorized transfers and employee embezzlement.



Professional Honors & Activities

- Listed in *Best Lawyers: Ones to Watch*[®] in America for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2021 – 2023)
- Selected to Mid-South Rising Stars (2019 – 2024)
- Finalist – *Chambers USA's* "Future Leader" Diversity & Inclusion Awards (2020)
- Named to *Birmingham Business Journal's* "Rising Stars" of Law (2017)
- Member – Birmingham Bar Association
- Member – American Bar Association
 - Recipient, Young Lawyer's Division Minorities in the Profession Scholarship (2017 – 2018)
- Member – Discover Financial's Diversity Mentor Program (2020)
- Fellow – Project Corporate Leadership



Community Honors & Activities

- Mentor – Black Law Students Association
 - University of Alabama
 - Cumberland School of Law
- Volunteer – Volunteer Lawyers Birmingham



Publications

- "Avoiding Fraudulent Transfer Claims from Loan Workouts," *ABA Banking Journal* (October 2021)



Speaking Engagements

- "Can Subchapter V Corporate Debtors See Clearly Now," Mississippi Bankruptcy Conference (December 2024)
- "Creditors' Rights/UCC Update," Bankruptcy at the Beach (May 2024)



Education

- Georgetown University Law Center, J.D., 2014
- University of California Berkeley, B.A., 2009



Admissions

- Alabama, 2015
- Florida, 2015
- U.S. Bankruptcy Court for the Northern, Middle, and Southern Districts of Alabama, 2015

- U.S. District Court for the Northern, Middle, and Southern Districts of Alabama, 2015
- U.S. Bankruptcy Court for the Northern, Middle, and Southern Districts of Florida, 2015
- U.S. District Court for the Northern, Middle, and Southern Districts of Florida, 2015