



Todd C. Meyers

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Services

Bankruptcy & Financial
Restructuring

Todd Meyers is Chair of Kilpatrick Townsend's Bankruptcy & Financial Restructuring team. He focuses his practice on bankruptcy and insolvency matters and represents committees, trade creditors, indenture trustees, secured lenders, buyers, and debtors in both workouts and bankruptcy proceedings.

While in law school, he served as executive articles editor of the *Bankruptcy Developments Journal*. He was the 1991 Emory Tax Scholar.

Mr. Meyers has been listed in *Chambers USA: America's Leading Lawyers for Business* every year since 2006 for Bankruptcy/Restructuring Law and he is listed in the 2022 and the nine immediately preceding editions as Band 1 for Bankruptcy/Restructuring Law. He was recognized by the *Legal 500 US* for Bankruptcy Law in 2009, for Corporate Restructuring in 2015 and the four years immediately preceding, and as a "Leading Lawyer" for Corporate Restructuring in 2013. Mr. Meyers was recognized by *The Best Lawyers in America*® in 2014 and 2015 in the areas of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, and again in 2023 and the seven years immediately preceding in the areas of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Bankruptcy Litigation. He was also named the 2022 "Atlanta Lawyer of the Year" in the area of Bankruptcy Litigation by *The Best Lawyers in America*®. Mr. Meyers has been named numerous times to the "Legal Elite" list for Bankruptcy & Creditors' Rights by *Georgia Trend* magazine, most recently in 2017. He has also been named for several years as a Georgia "Super Lawyer" for Bankruptcy & Creditor/Debtor Rights by *Super Lawyers* magazine, most recently in 2022 and the six years immediately preceding for Business Bankruptcy. In 2014, Mr. Meyers was named one of the 40 Masters of the Bench of the W. Homer Drake Jr. Georgia Bankruptcy American Inn of Court. He is AV® rated by Martindale-Hubbell.*

Experience



Representation of the creditors committee for one of the country's largest producers of plastic films in a Chapter 11 case pending in the United States Bankruptcy Court in the Northern District of Georgia. The matter involved a 363 sale of the debtor with more than \$250 million in secured and unsecured debt, property in various states and more than 1,200 employees.

Currently represent an indenture trustee for approximately \$3 billion in unsecured debt instruments in cases involving a publicly traded oil and natural gas company. The indenture trustee is co-chair of the official committee of unsecured creditors. *In re Linn Energy, LLC, et al.*, Case No. 16-60040 (Bankr. S.D. Tex. filed May 11, 2016).

Represented the official committee of unsecured creditors in the Chapter 11 cases of firearms manufacturer with more than \$100 million of secured debt and \$250 million of unsecured debt. Committee forced global settlement embodied in confirmed plan of reorganization that included rights offering raising \$50 million in new capital. *In re Colt Holding Co., LLC, et al.*, Case No. 15-11296-LSS (Bankr. D. Del. Filed Jun 14, 2015).

Represented the largest creditor (the indenture trustee for more than \$325 million in indebtedness; no official creditors' committee was appointed) and currently represent the liquidating trustee under the debtor's confirmed plan of liquidation in bankruptcy of bank holding company. *In re R&G Financial Corporation*, Case No. 10-04124 (Bankr. D.P.R. filed May 14, 2010).

Represented lender owed in excess of \$100 million in cases filed by real estate investment trust and its affiliates. In this capacity, together with other objecting creditors, successfully opposed debtors' assumption of onerous plan support agreement. *In re Innkeepers USA Trust, et al.*, Case No. 10-13800 (Bankr. S.D.N.Y. filed July 19, 2010).

Represented the creditors' committee in Chapter 11 proceedings pending in the Bankruptcy Court for the District of Puerto Rico. Hospital Damas, Inc. is a non-profit corporation that operates a general medical and surgical hospital in Ponce, Puerto Rico. In addition to protecting the interests of unsecured creditors during the bankruptcy case, initiated an adversary proceeding against the major secured creditor seeking avoidance of certain of its purported liens on the debtor's property. The secured creditor ultimately consented to a joint debtor/committee plan that provided substantial recoveries for unsecured creditors. *In re Hospital Damas, Inc.*, No. 10-08844 (Bankr. D.P.R. filed Sept. 24, 2010).

Represented the official committee of unsecured creditors in the Corus Bankshares, Inc. Chapter 11 bankruptcy case involving the holding company for Corus Bank, N.A., a failed bank that had approximately \$7 billion in assets. The holding company had more than \$400 million in unsecured debt. *In re Corus Bankshares, Inc.*, Case No. 10-26881 (Bankr. N.D. Ill. filed June 15, 2010).

Represented an indenture trustee for approximately \$500 million in debt instruments in cases involving a



leading producer and marketer of coal in the United States with operations and coal reserves in each of the major coal-producing regions of the country. The indenture trustee was a member of the official committee of unsecured creditors. *In re Arch Coal, Inc.*, Case No. 16-40120 (Bankr. E.D. Mo. filed Jan. 11, 2016).

Represented the official committee of unsecured creditors and now the plan administrator in the BankUnited Financial Corporation, et al. bankruptcy cases involving the holding company for BankUnited, FSB, one of the largest bank failures of 2009 (and the largest bank holding company bankruptcy of 2009), with more than \$500 million in unsecured debt. Notably, the committee confirmed its own plan. *In re BankUnited Financial Corporation, et al.*, Case No. 09-19940 (Bankr. S.D. Fla. Filed May 22, 2009).

Represented the stalking horse and ultimately successful bidder for a majority of the bread business of Hostess Brands, Inc. and its affiliated debtors in \$355 million transaction. *In re Hostess Brands, Inc.*, Case No. 12-22052-rdd (Bankr. S.D.N.Y. filed January 11, 2012).

Represented an indenture trustee for approximately \$1 billion in unsecured debt instruments in cases involving a publicly traded oil and natural gas exploration and production company. The indenture trustee was co-chair of the official committee of unsecured creditors. *In re Energy XXI Ltd, et al.*, Case No. 16-31928 (Bankr. S.D. Tx. filed April 14, 2016).

Represented creditors' committee and then Chapter 7 trustee for Galey & Lord Inc. in connection with the sale of companies with more than \$250 million in secured and unsecured debt. *In re Galey & Lord, Inc.*, Case No. 04-43098 (Bankr. N.D. Ga. filed Aug. 19, 2004).

Represented creditors committee for NII Holdings Inc. (f.k.a. Nextel International) in connection with restructuring of more than \$2 billion in unsecured debt. *In re NII Holdings, Inc.*, Case No. 02-11505 (Bankr. D. De. filed May 24, 2002).

Represent creditors' committee in Chapter 11 bankruptcy of commercial packaging and labeling manufacturer. *In re Wurzburg, Inc.*, No. 10-21047 (Bankr. W.D. Tenn.).

Represented the creditors' committee and now liquidating supervisor for NetBank Inc. in connection with liquidation of this bank holding company. Federal regulators seized NetBank in 2007, marking the largest bank failure in almost 15 years. Among other things, the firm as counsel to the liquidating supervisor filed a complaint against the FDIC regarding ownership of a tax refund. *In re NetBank Inc.*, Case No. 07-04295 (Bankr. M.D. Fla. filed Sept. 28, 2007).

Represented the creditors' committee and now plan trustee for Sun Coast Hospital in connection with the sale of the hospital facility with more than \$30 million in secured and unsecured debt. The firm commenced



litigation against the secured creditor for avoidance of liens and negotiated a favorable settlement pursuant to which a substantial portion of such creditor's claim was deemed unsecured, thereby resulting in a substantial distribution to unsecured creditors. *In re Sun Coast Hospital, Inc., et al.*, Case No. 07-12926 (Bankr. M.D. Fla. filed Dec. 29, 2007).

Represented the creditors' committee and then plan trustee for Vesta Insurance Group Inc. in connection with its liquidation. The firm assisted with reaching a complex multimillion dollar claim settlement with the Texas Insurance Commissioner. The plan trustee obtained a multimillion dollar settlement of a lawsuit handled by the firm against former officers for breach of fiduciary duties. *In re Vesta Insurance Group, Inc.*, Case No. 06-02517 (Bankr. N.D. Ala. filed July 18, 2006).

Education

Emory University J.D. (1991) *with honors, Order of the Coif*

Indiana University B.S. (1988) Accounting

Admissions

Georgia (1991)

New York (2017)

Professional & Community Activities

W. Homer Drake Jr., Georgia Bankruptcy American Inn of Court, Masters of the Bench, Executive Committee

American Bankruptcy Institute, Member

American Bar Association, Member

American Bar Association, Subcommittee on Financial Institution Insolvency Legislation, Member

Association of Insolvency and Restructuring Advisors, Member

Turnaround Management Association, Member

Atlanta Bar Association, Bankruptcy Law Section, Member

Emory University's Board of Visitors, Past Member

State Bar of Georgia, Bankruptcy Law Section, Member

Insights

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August 18, 2022



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Kilpatrick Townsend Attorneys Claim 80 Individual Rankings in 2022 Chambers USA

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