



Alfred S. Lurey

Senior Counsel

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Services

Bankruptcy & Financial
Restructuring
Securities

Al Lurey has been a partner in the firm since 1975. Mr. Lurey concentrates his practice on bankruptcy and insolvency matters.

Mr. Lurey is listed as Band 1 in the 2014 and the three immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for Bankruptcy/Restructuring, as a "Senior Statesperson" in the 2022 and the three years immediately preceding editions, and has been listed in that publication each year since 2005. Mr. Lurey was recognized in *The Best Lawyers in America*® for Bankruptcy Law for 2023 and each of the 39 years immediately preceding. He was named a 2015 "Atlanta Lawyer of the Year" in the area of Bankruptcy Litigation by *The Best Lawyers in America*®. Mr. Lurey was recognized as one of Georgia's "Legal Elite" for Bankruptcy & Creditors' Rights in *Georgia Trend Magazine* for 2015 and each of the six years immediately preceding. He was recognized as a Georgia "Super Lawyer" for Business Law in 2009, for Bankruptcy & Creditor/Debtor Rights Law in 2013 and each of the four years immediately preceding, and more recently for Business Bankruptcy in 2022 and the eight years immediately preceding by *Super Lawyers* magazine. Mr. Lurey has also been listed in *The International Who's Who of Business Lawyers* for 2009, 2011, 2013 and 2014. He received the 2007 Atlanta Bar Association Bankruptcy Section David Pollard Achievement Award. Mr. Lurey has been named by Legal Media Group to its 2010 and 2012 *Guide to the World's Leading Insolvency and Restructuring Lawyers*. He is AV® rated by Martindale-Hubbell.*

Experience

Represented a debtor in possession in an airline Chapter 11 case in the United States Bankruptcy Court for the Eastern District of North Carolina.

Represented the mobile telephone division of a national telecommunications company in connection with its sale of a multimillion dollar claim against a bankrupt national telecommunications company in its bankruptcy case in the U.S. Bankruptcy Court for the Southern District of New York.



Represents official committee of unsecured creditors of Vesta Insurance Group Inc. and plan trustee for Vesta Insurance in large bankruptcy proceeding pursuing claims against former officers and directors for breach of fiduciary duties to the corporation. In connection with this litigation, the firm was at the cutting edge of the development of Delaware law addressing the fiduciary duties owed by officers to a corporation. Case Pending.

Represented a global leader in information solutions in the acquisition of an information services company out of its Chapter 11 case in the U.S. Bankruptcy Court for Eastern District of Virginia.

Represented Roadhouse Grill Inc. restaurant chain in its Chapter 11 case in the U.S. Bankruptcy Court for the Southern District of Florida. The reorganization plan was confirmed.

Represented client in connection with negotiations regarding a critical software license agreement between the client and an international, big box retailer in retailer's Chapter 11 case in the U.S. Bankruptcy Court for the Northern District of Illinois.

Represented a principal loan servicer and asset manager for a major investment bank in connection with the bank's Chapter 11 case in the United States Bankruptcy Court for the Southern District of New York.

Successfully defended claim against a worldwide producer and distributor of branded sporting goods that owned famous trademarks asserting that client had violated automatic stay in connection with prosecution of trademark infringement claims against a retail athletic footwear chain, debtor in possession in Chapter 11 case in U.S. Bankruptcy for the Southern District of New York.

Represented a private equity firm in connection with the Federal Mogul Chapter 11 case in the United States Bankruptcy Court for the District of Delaware. Advised client about efficacy of channeling order protecting non-debtor company that client was in the process of acquiring.

Represented an investor in the acquisition of the assets of a financially distressed real estate company in a bankruptcy proceeding in the U.S. Bankruptcy Court for the Middle District of Tennessee.

Advised one of the world's largest privately held software companies, which had been sued by a reorganized debtor, about assertion of judicial estoppel defenses.

Defense of an IT products and services company against large preference claim in a bankruptcy case in the U.S. Bankruptcy Court for the Eastern District of Michigan.

Represented creditors' committee of a debtor engaged in the development and distribution of English language learning systems in connection with negotiation of a plan paying unsecured creditors one hundred cents on the dollar. Outcome was 100 percent distribution to unsecured creditors.



Represented official committee of asset-backed security holders in large Chapter 11 case in the Northern District of Oklahoma involving a company that packaged high-risk credit card receivables for securitization. Successfully negotiated a plan with debtor and committee of unsecured creditors, providing for appointment of liquidating trustee to pursue claims and make distributions for the benefit of ABS holders. The firm also represented the liquidating trustee after his appointment.

Represented Munford Inc., one of the country's largest chains of convenience stores, in a liquidating Chapter 11 case in the U.S. Bankruptcy Court for the Northern District of Georgia. The liquidating plan was confirmed, and claims were pursued successfully for the benefit of creditors.

The firm served as co-counsel to the Tort Claimants' Committee in one of largest mass tort Chapter 11 cases ever filed. A reorganization plan creating a \$2 billion trust for the payment of claims of personal injury claimants was negotiated successfully. General unsecured creditors were paid in full, and the company emerged successfully from bankruptcy.

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 debtors' 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 the creditors' committee and now Chapter 7 trustee for OneStar Long Distance Inc. in connection with liquidation of assets of a large Midwestern long distance reseller with more than \$50 million in unsecured debt. *In re OneStar Long Distance, Inc.*, Case No. 03-72697 (Bankr. S. D. Ind. filed Dec. 31, 2003).

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 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).

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).

Education

Harvard University LL.B. (1967) *cum laude*

Duke University A.B. (1964) *summa cum laude*

Admissions

Georgia (1970)

California (1967)

Court Admissions

Supreme Court of Georgia

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the Northern District of Georgia

Clerkships

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Professional & Community Activities

American Bankruptcy Institute, Member

American Bar Association, Member

American College of Bankruptcy, Fellow

California Bar Association, Member

Emory Law School, Adjunct Professor

The Southeastern Bankruptcy Law Institute, Inc., Former President and Chairman of the Board of Directors

State Bar of Georgia, Corporate and Banking Law Section, UCC Committee, Former Chairman

Insights

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August 18, 2022

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June 2, 2022

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October 29, 2021

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August 19, 2021