



Alfred S. Lurey

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Services

Bankruptcy & Financial Restructuring

Industries

Banking & Credit Unions

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 #1 in the 2011, 2012 and 2013 editions of *Chambers USA: America's Leading Lawyers for Business* for Bankruptcy/Restructuring 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 2014 and each of the 28 years immediately preceding. He was recognized as one of Georgia's "Legal Elite" for Bankruptcy & Creditors' Rights in *Georgia Trend Magazine* for 2012 and each of the three years immediately preceding. Mr. Lurey was recognized as a Georgia "Super Lawyer" in Business Law in 2009 and in Bankruptcy & Creditor/Debtor Rights Law in 2013 and each of the four years immediately preceding by *SuperLawyers* magazine. He has also been listed *The International Who's Who of Business Lawyers* for 2009, 2011 and 2013. Mr. Lurey received the 2007 Atlanta Bar Association Bankruptcy Section David Pollard Achievement Award. He has been named by Legal Media Group to its *2010 and 2012 Guide to the World's Leading Insolvency and Restructuring Lawyers*. Mr. Lurey is AV[®] rated by Martindale-Hubbell.*

*CV, BV, and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedure's standards and policies.

Experience Highlights

Judicial estoppel issue involving one of the world's largest privately held software companies

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.

Representation of official committee of unsecured creditors

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.

Grandparent adoption

Represents caregivers seeking to adopt children. One of the firm's signature pro bono programs is the Grandparent Adoption Program. Dozens of lawyers have been trained to represent grandparents and other relative caregivers who step up to raise young children in their extended family when the children's parents are unable or unwilling to do so. Working in partnership with local legal aid programs, lawyers accept referrals of eligible families, and prepare and file the required documents to effect the adoption. Hundreds of children's lives have been stabilized as a result of the firm's involvement.

Co-counsel to Tort Claimants' Committee in one of the largest mass tort Chapter 11 cases

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.

Transactional counsel for TaylorMade-adidas Golf Company

Represented TaylorMade-adidas Golf Company in licensee's work-out, Article 9 purchase of licensee's inventory, and licensee's assignment for benefit of creditors.

In re Vesta Insurance Group

Represented the creditors' committee and now 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).

Global License, Development and Commercialization agreement for Biotest AG

Served as lead counsel in representing Biotest AG (Biotest), a German publicly traded biotechnology company, in signing a global License, Development and Commercialization Agreement with Abbott Laboratories for the further development and commercialization of Biotest's BT-061, a novel anti-CD4 antibody for the treatment of Rheumatoid Arthritis (RA) and psoriasis. In connection with the deal, Biotest will receive an upfront payment of \$85 million, and upon completion of certain milestones, additional payments totaling \$395 million, plus royalties.

In re OneStar Long Distance

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. Case pending.

In re OneStar Long Distance, Inc., Case No. 03-72697 (Bankr. S. D. Ind. filed Dec. 31, 2003).

Representation of official committee of asset-backed security holders

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.

Bankruptcy related assistance for principal loan servicer and asset manager

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.

Acquisition of company out of bankruptcy

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.

In re BankUnited Financial Corporation

Representing in the Southern District of Florida the official creditors' committee for the largest (in terms of debt) bank holding company bankruptcy filing in 2009 with more than \$500 million in unsecured debt.

Bankruptcy of Munford Inc., one of the country's largest chains of convenience stores

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.

License agreement regarding software

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.

Federal Mogul Chapter 11

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.

Acquisition of assets of a bankrupt real estate company

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.

Bankruptcy of airline company

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

Debtor representation of Roadhouse Grill Inc. in Chapter 11 case

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.

Large preference claim against an IT products and services company

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.

Defense of contempt proceeding initiated by Chapter 11 debtor against a worldwide producer and distributor of branded sporting goods

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.

*Experience gained by attorney prior to joining Kilpatrick Townsend

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

Education

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

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

Bar Admissions

Georgia (1970)

California (1967)

Admissions

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

Supreme Court of Georgia

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Eleventh Circuit

Clerkships

U.S. Court of Appeals for the Fourth Circuit — Clement F. Haynsworth, Jr.