

For Immediate Release

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Katten Bankruptcy Team Wins Numerous Turnaround Awards From The M&A Advisor

(NEW YORK) Katten announced today that its Insolvency and Restructuring practice was honored by The M&A Advisor in five categories of the 15th annual Turnaround Awards, known as one of the restructuring and distressed investing industry's benchmarks for excellence.

"Ours is a group of exceptionally talented attorneys with a wealth of skills and experience, and it is quite satisfying when others acknowledge these successes we've had for our clients," said Steven J. Reisman, co-chair of Katten's Insolvency and Restructuring practice. "The engagements that earned these latest distinctions are some of the largest, most sophisticated and highest-profile Chapter 11 cases of the past year."

Katten Chairman Roger P. Furey added, "There can be no doubt that the Katten Insolvency and Restructuring group is a leader in representing independent directors in Chapter 11 cases and out-of-court restructurings. Moreover, the Katten team has broad experience in handling Chapter 15 cases, acquisitions of distressed assets, and representing creditors' committees. They set the bar high in taking the best approach to guide clients out of financial turmoil and toward a positive outcome."

Katten's Insolvency and Restructuring practice was recognized for its work in the following categories:

1. **Restructuring of the Year (Over \$5B).** Katten represented the independent directors of J.C. Penney Corporation, Inc. in its Chapter 11 cases. As a result of the pandemic, one of the most iconic department store chains in the country was forced to shut down virtually all of its operations and market the sale of substantially all of its assets. In the face of these immense operational and financial challenges, Katten advised the independent directors in connection with the company's successful sale and restructuring strategy, which saved more than 85,000 jobs at J.C. Penney.

The Katten team was led by Steven J. Reisman and included Insolvency and Restructuring partners Jerry L. Hall, Cindi M. Giglio and Stephanie Hor-Chen, Real Estate partner Michael S. McBride, and Litigation partner Eric T. Werlinger.

2. **Consumer Staples Deal of the Year.** Katten represented hospitality company Aurify Brands in connection with its acquisition of the assets of Le Pain Quotidien (LPQ) in its Chapter 11 case.

Katten devised a process whereby Aurify provided a prepetition bridge loan to stave off a Chapter 7 filing while Aurify successfully negotiated a new franchise agreement. Katten then advised Aurify to roll the prepetition loan into DIP financing and effectuate a purchase of LPQ's US assets through a credit bid of its debt. The plan was successful and Aurify emerged with the US assets and saved the LPQ business in the US and more than 1,000 jobs.

The Katten team was led by Steven J. Reisman and included Insolvency and Restructuring partners Cindi M. Giglio and Jerry L. Hall, Corporate partners Wade A. Glover and Paul Rosen, and Private Credit partner Brian S. Stern.

3. **Distressed M&A Deal of the Year (Over \$1B).** Katten represented Ernst & Young Inc. in its capacity as the court-appointed monitor for Cirque du Soleil Canada Inc. in its Companies' Creditors Arrangement Act proceedings in Canada and its Chapter 15 case in the US.

Katten advised Ernst & Young, which oversaw the successful sale of substantially all of Cirque du Soleil's assets to a group of first lien and second lien lenders. The sale preserved the company's business as a going concern and saved hundreds of jobs during the pandemic that had forced the company to cease operations.

The Katten team was led by Steven J. Reisman and included Insolvency and Restructuring partners Jerry L. Hall and Shaya Rochester, Transactional Tax Planning partner Todd Hatcher, and Corporate partner Michelle A. Gyves.

4. **Distressed M&A Deal of the Year (\$500MM to \$1B).** Katten represented the Official Committee of Unsecured Creditors in the Chapter 11 cases of High Ridge Brands Co., a seller of skin, hair, and oral care products.

Katten struck quickly to negotiate a settlement among the Committee, the Debtors, and their secured lenders that carved out significant value for unsecured creditors and avoided litigation regarding the validity and scope of purported liens on the Debtors' assets. This settlement smoothed the way for two value-maximizing section 363 asset sales that preserved jobs and the Debtors' ongoing business, and yielded cash proceeds in excess of

US \$120 million for the Debtors. Katten's efforts resulted in an extraordinary outcome for its "out of the money" constituents.

The Katten team was led by Steven J. Reisman and included Insolvency and Restructuring partners Jerry L. Hall, James V. Drew, and Cindi M. Giglio, and Litigation partner Robert T. Smith.

5. **Chapter 11 Reorganization of the Year (Over \$1B).** Katten represented the disinterested manager of Mariposa Intermediate Holdings LLC in the company's Chapter 11 cases. Mariposa Intermediate Holdings LLC is a subsidiary of Neiman Marcus Group, Inc.

Katten's multidisciplinary team conducted an investigation of potential claims and causes of action to determine whether the releases proposed under the company's Chapter 11 plan were appropriate. The investigation focused on a set of prepetition transactions involving the company's Mytheresa brand and potential claims against the company's officers and directors.

The Debtors and the Official Committee of Unsecured Creditors (which sought to pursue the claims being investigated) reached a settlement providing additional value to unsecured creditors, in exchange for consent to the Plan releases. The Chapter 11 plan was approved by the Bankruptcy Court, and the Debtors emerged from Chapter 11 having deleveraged approximately \$4 billion.

The Katten team was led by Steven J. Reisman and included Insolvency and Restructuring partner Geoffrey King and Litigation partner Robert T. Smith.

The annual Turnaround Awards recognize the leading distressed transactions, restructuring, refinancing, products and services, firms, and professionals in the United States and international markets.

Katten is a full-service law firm with nearly 650 attorneys in locations across the United States and in London and Shanghai. Clients seeking sophisticated, high-value legal services turn to Katten for counsel locally, nationally and internationally. The firm's core areas of practice include corporate, financial markets and funds, insolvency and restructuring, intellectual property, litigation, real estate, structured finance and securitization, transactional tax planning, private credit and private wealth. Katten represents public and private companies in numerous industries, as well as a number of government and nonprofit organizations and individuals. For more information, visit katten.com.