



Benjamin W. Loveland

PARTNER

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Benjamin Loveland's practice focuses on the representation of distressed debt investors in chapter 11 bankruptcy proceedings and other financial restructurings. He routinely represents indenture trustees, agents, noteholders, and lenders in large and complex bankruptcy cases and resulting litigation. Mr. Loveland also has deep experience assisting clients with pre-investment diligence and transaction structuring against the insolvency background, and has helped borrower clients with refinancing and restructuring transactions. Mr. Loveland rounds out his practice with extensive knowledge of cross-border insolvency matters, distressed sales, and issues involving the intersection of bankruptcy and intellectual property law.

Professional Activities

- Co-Chair of Boston Bar Association Bankruptcy Section's Young Lawyers Committee (2010–2012)
- Member (and former co-chair) of American Bankruptcy Institute Northeast Conference Emerging Insolvency Professionals Committee (2015 – present)
- Member of American Bankruptcy Institute Northeast Conference Advisory Board (2015 – present)
- Vice Chair of M. Ellen Carpenter Financial Literacy Program (2014–2016)
- Board Member of Courageous Sailing for Youth, Inc.

Solutions

Bankruptcy and Financial
Restructuring

Bankruptcy Litigation,
Regulation and Policy

Trials

Experience

Among other clients, Mr. Loveland has represented:

- The Walt Disney Company in connection with the chapter 11 cases of **Rubie's Costume Company, Inc., Frontier Communications Corp., Forever 21, Inc., J.C. Penney Company, Inc., Cinemex Holdings USA, Inc., The Weinstein Companies**, and others
- A group of insurers in connection with the chapter 11 cases of **Philadelphia Energy Solutions** and related litigation
- Wilmington Savings Fund Society, FSB, as prepetition administrative and collateral agent and DIP administrative and collateral agent, in connection with the chapter 11 cases of **Akorn, Inc.**
- Wilmington Savings Fund Society, as first lien administrative and collateral agent and DIP administrative and collateral agent, in connection with the chapter 11 cases of **VIP Cinema Holdings, Inc.**
- GLAS USA LLC, as DIP administrative agent, and GLAS Americas LLC, as DIP collateral agent, in connection with the chapter 11 cases **Quorum Health Corporation**
- GLAS Trust Company LLC, as superpriority agent, GLAS USA LLC, as DIP administrative agent, and GLAS Americas LLC, as DIP collateral agent, in connection with the chapter 11 cases of **Murray Energy Holdings Co.**, including in connection with litigation seeking to invalidate the obligations owing to the superpriority lenders
- GLAS Trust Company LLC, as indenture trustee, in connection with the chapter 11 cases of **Aegerion Pharmaceuticals**
- Wilmington Savings Fund Society, FSB, as agent, in connection with the chapter 11 cases of **Westmoreland Coal Company**
- Wilmington Trust, as indenture trustee for the first lien notes, in the chapter 11 case of **Cobalt International Energy, Inc.**
- Wilmington Savings Fund Society, as indenture trustee for second lien notes in the chapter 11 case of **Avaya, Inc.**
- GLAS USA, as administrative agent for a €600 million PIK loan, in connection with the involuntary chapter 11 proceeding of **EB Holdings (Ecobat)**
- Wilmington Trust, as indenture trustee for the second lien notes, in the chapter 11 case of **SunEdison, Inc.**, including in related avoidance litigation
- The holders of a majority in a dollar amount of \$220 million in first lien notes issued by **LBI Media, Inc.** in the completed sale of their notes
- The indenture trustee for, and a steering committee of holders of, bonds in the **Energy XXI** oil and gas chapter 11 case
- Several funds and other financial creditors in connection with their acquisition of a majority interest in **GT Advanced Technologies** under its confirmed chapter 11 plan of reorganization
- Lenders and bondholders in the chapter 11 case of **Texas Competitive Electric**

Holdings (TCEH) and **Energy Futures Holdings (EFH)** and related litigation, including make-whole dispute and letter of credit payment priority litigation in the Delaware bankruptcy court and district court and in the Third Circuit Court of Appeals

- Major bondholder in aspects of the **American Airlines** chapter 11 case, including chapter 11 plan negotiations and litigation surrounding aircraft sale transactions
- Major technology company in its bid for the patent portfolio of **Nortel Networks** in its chapter 11 section 363 sale
- Foreign financial institutions in defense of fraudulent transfer litigation brought by SIPA Trustee for **Bernard L. Madoff Investment Securities LLC** and BVI liquidators for the **Fairfield Funds**

Recognition

- Selected by peers for inclusion in *Best Lawyers in America* for bankruptcy and creditor debtor rights / insolvency and reorganization law (2023–2024).
- Named to *Boston Magazine's* Top Lawyers list in 2021–2023 in the area of bankruptcy.
- Recognized as a "40 Under 40 Emerging Leader" by *M&A Advisor* in 2016.
- Named a "Massachusetts *Super Lawyers* Rising Star" for bankruptcy in the 2012–2017 issues of *Boston Magazine*.
- Selected as a participant in the National Conference of Bankruptcy Judges NextGen Program in 2013.

Credentials

EDUCATION

JD, Suffolk University Law School, 2007

magna cum laude

Staff Member, Suffolk Transnational Law Review

BA, Political Science, Providence College, 2004

cum laude

ADMISSIONS

Massachusetts

Rhode Island

CLERKSHIPS

The Hon. Joel B. Rosenthal,
US Bankruptcy Court for the
District of Massachusetts,
2007 - 2008