

Kevin M. Lippman



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Education

J.D. from St. Mary's University School of Law

- Board of Advocates Officer
- Order of the Barristers
- Recipient of Numerous Awards in Moot Court Competitions

B.B.A. from The University of Texas at Austin

Bar Admissions

Texas
United States Court of Appeals for the Fifth Circuit
United States District Court for the Eastern, Northern,
Southern and Western Districts of Texas

Related Practices

Bankruptcy, Restructuring & Insolvency
Asset Acquisitions
Committees
Creditors
Cross-Border Insolvency
Debtors
Insolvency Litigation
Receiverships
Trustees

Overview

Kevin is a member of the Firm's Operations Committee and serves as Section Head of the Bankruptcy, Restructuring & Insolvency practice group, which is one of the largest bankruptcy and restructuring practices based in Texas.

Kevin has more than 29 years of experience representing debtors, secured and unsecured creditors, unsecured creditors' committees, trustees and buyers of distressed assets in bankruptcy cases throughout the United States. In addition, he has extensive experience representing clients in insolvency-related litigation, including avoidance actions and D&O litigation. His experience extends to many industries including retail, energy, food services, transportation, telecommunications, health care and real estate.

Kevin's clients appreciate his ability to understand their business, and develop and execute on a strategy that helps them accomplish their goals in restructuring or liquidation. It is this professional trait that has led him to represent clients in many of the most notable bankruptcy cases including Tuesday Morning Corporation, Energy Future Holdings Corp., Enron Corporation, Kmart, Conseco, Adelphia Communications Corporation, United Airlines, Provident Royalties, VarTec, Mirant Corporation, Pilgrim's Pride and Texas Rangers Baseball Partners.

Kevin began his legal career with a four-year judicial clerkship with the Honorable Houston Abel, Chief Bankruptcy Judge for the Eastern District of Texas

Related Industries

Financial Services
Energy
Hospitality
Retail
Technology & Telecommunications
Transportation

Achievements

Martindale-Hubbell® AV Preeminent®, Peer Review Rated™

Woodward/White, Inc. – Best Lawyers in America, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2013-2025); Best Lawyers in America, Litigation – Bankruptcy (2013-2025)

Memberships

American Bankruptcy Institute
American Bar Association, Business Law Section
Dallas Bar Association, Bankruptcy and Commercial Law and Business Litigation Sections
Dallas Texas Exes (Former President)
Honorable John C. Ford American Inn of Court (Master)
State Bar of Texas, Bankruptcy Law Section

Experience

Agent/Lender Representation

Represented, as Texas counsel, two international banks in the Chapter 11 cases filed by CHC Group, Ltd. and 42 of its affiliates in the United States Bankruptcy Court for the Northern District of Texas. The banks were the Agents under master facility agreements and related lease schedules, pursuant to which 30 helicopter airframes and associated engines were leased to certain of the debtors.

Agent/Lender Representation

Represented an international bank in the Chapter 11 case filed by Aurora Oil & Gas Corporation and its subsidiary in the United States Bankruptcy Court for the Western District of Michigan. The bank was the agent and a lender under a \$100 MM senior secured revolving credit facility provided to the debtors.

Agent/Lender Representation

Represented an international bank in the Chapter 11 cases filed by Enron Corp. and certain of its affiliates in the United States Bankruptcy Court for the Southern District of New York. The bank was a participant in certain credit facilities provided to the debtors, both secured and unsecured, which aggregated in excess of \$4.3 B.

Agent/Lender Representation

Represented an international bank in the Chapter 11 cases filed by Trinity Coal Corporation and certain of its affiliates in the United States Bankruptcy for the Eastern District of Kentucky. The bank was part of a syndicate which provided the debtors a \$20 MM credit facility.

Asset Acquisition Representation

Represented J. Berry Nursery in its acquisition of certain real and personal property from Woodbridge Partners, L.P. and Seville Farms, Inc., each a debtor in Chapter 11 cases filed in the United States Bankruptcy Court for the Northern District of Texas.

Chapter 11 Trustee Representation

Represented the Chapter 11 trustee appointed in the bankruptcy case filed by Halek Energy LLC in the United States Bankruptcy Court for the Northern District of Texas. The debtor was an independent oil and gas exploration and production company that filed Chapter 11 after several investors commenced litigation against it and its principal alleging securities fraud.

Chapter 11 Trustee Representation

Represented the Chapter 11 trustee appointed in the bankruptcy case filed by Patman Drilling International, Inc. in the United States Bankruptcy Court for the Northern District of Texas. The debtor provided contract oil and gas land drilling services to exploration companies and independent operators in North America.

Chapter 11 Trustee Representation

Represented the Chapter 11 trustee appointed in the bankruptcy cases filed by Provident Royalties, LLC and its 26 debtor affiliates in the United States Bankruptcy Court for the Northern District of Texas. The debtors were in the business of acquiring and investing in both producing and non-producing leaseholds and mineral interest across the United States, with a primary focus in Oklahoma. The Provident entities raised approximately \$485 MM from over 7,700 investors nationwide. In response to significant declines in the price of both crude and natural gas, Provident and certain of its affiliates were forced to file bankruptcy.

Chapter 7 Trustee Representation

Represented, as special litigation counsel, the Chapter 7 Trustee appointed in the bankruptcy case filed by Auto International Refrigeration, Inc. in the United States Bankruptcy Court for the Northern District of Texas. The litigation was a usury action against the debtor's pre-petition lender under a revolving credit facility.

Chapter 7 Trustee Representation

Represented the Chapter 7 trustee appointed in the bankruptcy cases filed by VarTec Telecom, Inc. and its debtor affiliates in the United States Bankruptcy Court for the Northern District of Texas. The engagement included representing the Chapter 7 trustee in litigation against the debtors' former director and officers seeking damages in excess of \$100 million for claims based on breaches of fiduciary duties, gross negligence, fraudulent transfers and conversion.

Chapter 7 Trustee Representation

Represented the Chapter 7 trustee appointed in the bankruptcy case filed by Caroline D. Wyly in the United States Bankruptcy Court for the Northern District of Texas. This was one of the largest individual bankruptcy cases ever filed in the United States. The IRS asserted a claim against the debtor in excess of \$1.2 B for unpaid income taxes, gift taxes, penalties and interest. The case involved many difficult legal and jurisdictional issues, most of which involve attempts by the Chapter 7 trustee to bring into the United States foreign assets under the control of trusts created by the debtor and her late husband in the Isle of Mann.

Committee Representation

Represented the Official Committee of Unsecured Creditors of Buffet Partners, L.P., filed in the United States Bankruptcy Court for the Northern District of Texas. The debtor owned and operated Furr's cafeteria.

Committee Representation

Represented the Official Committee of Unsecured Creditors of CEI Roofing, Inc. and 27 of its affiliates, filed in the United States Bankruptcy Court for the Northern District of Texas. The debtors were the nation's leading comprehensive provider of commercial roofing solutions.

Committee Representation

Represented the Official Committee of Unsecured Creditors of Frankie V's Kitchen, LLC in the Chapter 11 case filed by the debtor in the United States Bankruptcy Court for the Northern District of Texas. The debtor was a manufacture of shelf-stable and fresh or refrigerated products such as soups, hot sauces, salad dressings, pico de gallo, condiments and other spreads.

Committee Representation

Represented the Official Committee of Unsecured Creditors of Gainesville Hospital District d/b/a North Texas Medical Center, filed in the United States Bankruptcy Court for the Eastern District of Texas. The debtor is a rural hospital district created in 1975 by the Texas legislature, and it owns and operates the hospital located in Gainesville, Texas. The hospital serves as the primary and acute care center for Cooke County, Texas. The debtor filed Chapter 9 to restructure and refinance its outstanding obligations and liabilities.

Committee Representation

Represented the Official Committee of Unsecured Creditors of GC Logistics, Inc., filed in the United States Bankruptcy Court for the Northern District of Texas. The debtor and its affiliates provided trucking and logistics services throughout North America.

Committee Representation

Represented the Official Committee of Unsecured Creditors of GNI Group, Inc. and its affiliates, filed in the United States Bankruptcy Court for the Southern District of Texas. The debtors were a large chemical and hazardous waste disposal business.

Committee Representation

Represented the Official Committee of Unsecured Creditors of Heartland Automotive Holdings, Inc. and its affiliate debtors in the Chapter 11 cases filed by the debtors in the United States Bankruptcy Court for the Northern District of Texas. The debtor and its affiliates were the largest franchisees of Jiffy Lube International, Inc. and operated 438 quick-oil change stores across the United States.

Committee Representation

Represented the Official Committee of Unsecured Creditors of Kitty Hawk, Inc. and its affiliated debtors in the Chapter 11 cases filed by the debtors in the United States Bankruptcy Court for the Northern District of Texas. The debtors were a publicly traded operator of a ground and air cargo network between selected cities in North America including the continental United States, Alaska, Hawaii, Canada and Puerto Rico.

Creditor Representation

Represented two Bumi Armada Berhad affiliates in the bankruptcy cases filed by Erin Petroleum Nigeria Ltd. and three of its affiliates in the United States Bankruptcy Court for the Southern District of Texas. The primary dispute concerned the ownership of approximately 380,000 barrels of crude oil on the floating production storage and offloading vessel owned by our client and moored 50 miles off the coast of Nigeria, in an area with the highest acts of piracy.

Creditor Representation

Represented Electric Reliability Council of Texas, Inc. ("ERCOT") in 12 separate bankruptcy cases commenced by participants in the Texas energy market following the winter storm that hit Texas in February 2021. In the case commenced by Brazos Electric Power Cooperative, Inc., the debtor challenged ERCOT's \$2 B claim against the debtor.

Creditor Representation

Represented Fujitsu Network Communications in the Chapter 11 cases filed by Adelphia Business Solutions, Inc. and its affiliates, and in the separate Chapter 11 cases filed by Adelphia Communications Corporation and its affiliates, in the United States Bankruptcy Court for the Southern District of New York. Adelphia Business Solutions and its affiliates were leading providers of facilities-based integrated communication services to customers throughout the United States. Adelphia Communications and its affiliates were the sixth largest operators of cable television systems in the United States.

Creditor Representation

Represented Power Energy Partners LP (PEP) and its affiliate Power Crude Transport Inc. (PCT) in the Chapter 11 cases filed by American Eagle Energy Corp. and AMZG, Inc. in the United States Bankruptcy Court for the District of Colorado. The debtors were an independent exploration and production operator that defaulted under a \$175 MM senior secured bond Indenture. PEP was the second largest shareholder and it purchased all oil produced by the debtor. PCT transported, among other things, all of the debtor's oil from the battery tanks to a railhead trans-loading facility. One of the highly contentious matters in the bankruptcy case involved a lien priority dispute between a group of well lien claimants (including PCT), on the one hand, and the bondholders, on the other hand. The lien dispute involved North Dakota lien statutes which have never before been judicially interpreted.

Creditor Representation

Represented Rosenthal & Rosenthal of California, Inc., a senior secured lender, in the Chapter 11 case filed by Macadamia Beauty, LLC in the United States Bankruptcy Court for the Eastern District of Texas.

Creditor Representation

Represented a high net worth individual in connection with certain investments he made in three separate proton radiation therapy centers in the United States. In one proton center, he was one of the largest equity investors and formally served as a member of its Board of Managers. In the other two centers, he was one of the largest secured lender. After commencing a lawsuit against one of the proton therapy center, our client recovered 100 percent of the amount owed to him, including his attorneys' fees and costs. He subsequently filed a lawsuit against another proton therapy center. Subsequent to the initiation of this lawsuit, the proton therapy center filed Chapter 11. The bankruptcy case was highly contentious due to allegations that the debtor and certain of its insiders fraudulently raised funds from investors. Our client was successful in getting a Chapter 11 trustee appointed in the case and having a Chapter 11 plan confirmed that he supported.

Debtor Representation

Represented Base Holdings LLC in its Chapter 11 case filed in the Bankruptcy Court for the Northern District of Texas. The debtor operated the Chili's restaurant located in the American Airlines Center in Dallas, Texas.

Debtor Representation

Represented Tuesday Morning Corporation and its affiliates in their Chapter 11 cases filed in the Bankruptcy Court for the Northern District of Texas. The debtors had over 450 store locations across 39 states and in the immediately prior fiscal year, generated sales of almost \$750 MM.

Debtor Representation

Represented Vanderra Resources, LLC in its Chapter 11 case filed in the Bankruptcy Court for the Northern District of Texas. The debtor was is a privately owned oilfield construction company based in Fort Worth, Texas providing one-stop oilfield services.

Newsroom

Press Release: Fifty-Eight (58) Munsch Hardt Attorneys Honored in 2025 Best Lawyers in America Directory

Press Release: 'Best Lawyers in America®' Names 51 Munsch Hardt Attorneys to its 2024 List and Two as 'Lawyers of the Year'

Speech: The Great Value Storage Bankruptcy Case

Speech: Winter Storm Uri Two Years Later: A Look Back at the Brazos Bankruptcy Case and Other Uri-Related Bankruptcy Filings

In The News: 5th Circ. Won't Budge From Ch. 15 Power Price Suit Remand

In The News: 5th Circ. Remands Just Energy Ch. 15 Suit Over Power Prices

In The News: Bankruptcy Judge 'Conditionally Approves' Brazos Disclosure Agreement After Intense Hearing

In The News: Brazos Gets Nod On Ch. 11 Plan Docs With ERCOT Deal

Press Release: Munsch Hardt Attorneys Honored as 2023 'Best Lawyers in America®,' 'Ones to Watch', and 'Lawyer of the Year'

In The News: Brazos Wants To Set Trial Date On ERCOT \$1.9B Ch. 11 Claim

In The News: CEO: Brazos in Great Shape Until Crippling Uri Bills

In The News: Brazos Execs Knew Electric Prices Would Soar Even Before Winter Storm Uri Hit

Speech: Winter Storm Uri Lessons Learned and Legislative Updates

Press Release: Munsch Hardt Attorneys Honored as 2022 'Best Lawyers in America', 'Ones to Watch' and 'Lawyer of the Year'

Press Release: Munsch Hardt Wins "Corporate Turnaround of the Year" at 2021 Turnaround Atlas Awards

In The News: How COVID-19 Strengthened Texas As A Bankruptcy Hub

In The News: The NRA says it's moving to Texas. Bankruptcy experts say it may be more of a legal move than a physical one.

Press Release: Munsch Hardt Attorneys Honored as '2021 Best Lawyers in America' and 'Ones to Watch'

In The News: Avalanche of Business Bankruptcies has Arrived in Texas

In The News: In The Coronavirus Crisis, Some Retailers In Chapter 11 Are Too Stuck To Reorganize

Press Release: Twenty-Three Munsch Hardt Attorneys Honored as '2020 Best Lawyers in America'

Speech: Bankruptcy for Estate Planners: What you Need to Know, or at Least be Aware of

Speech: Workout Tactics and Other Strategies to Avoid Chapter 11 Bankruptcy

Press Release: Eighteen Munsch Hardt Attorneys Recognized as 2019 "Best Lawyers in America"

Press Release: Fifteen Munsch Hardt Attorneys Honored as '2018 Best Lawyers in America'

Press Release: Seventeen Munsch Hardt Attorneys Recognized as 2017 Best Lawyers in America

In The News: Billionaire Kelcy Warren Sued Over \$20 MM Cancer Center Loan

Press Release: Fifteen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2016'

Speech: Confronting the Downturn

Press Release: Fifteen Munsch Hardt Attorneys Recognized as 'Best Lawyers in America 2015'

In The News: Ex-Howrey Partners' Clawback Deal Will Pressure Holdouts

Press Release: Best Lawyers 2014 Recognizes Munsch Hardt Attorneys

In The News: The Scooter Store Proposes 'Aggressive' Sale

Press Release: U.S. News Best Lawyers Recognizes Munsch Hardt Attorneys as Texas' Best

Press Release: Munsch Hardt Names 2013 Management Committee

In The News: Vanderra final DIP hearing delayed

In The News: Vanderra to seek final OK to tap DIP, cash

Press Release: U.S. News - Best Lawyers Recognizes Munsch Hardt Attorneys

Press Release: Lippman Named Head of Insolvency, Restructuring and Creditors' Rights Group

Article: Trade Creditors in Bankruptcy

Article: Survey of Texas Bankruptcy Court Opinions Addressing the Applicability of Till in Chapter 11 Cases

Article: The Basics of Cash Collateral and DIP Financing

Article: Commercial Landlord Issues in Bankruptcy

Article: What Every Bankruptcy Attorney Needs to Know About Cash Collateral and DIP Financing

Article: What Every Landlord Should Know About Non-Residential Tenant Bankruptcies

Article: What Every Young Lawyer Should Know About Non-Residential Tenant Bankruptcies

Article: A Primer on Commercial Landlord Issues in Bankruptcy

Article: Claims Trading: New York District Court Gets Bullish on Bankruptcy Claims Market

Article: Family Law Issues Under the Bankruptcy Reform Act

Article: Avoid Bursting the Dot.com Bubble

Article: Ethical Issues and Malpractice Prevention: Preparation of the Schedules and the Statement of Financial Affairs