

Robin Russell



Partner

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Robin Russell co-chairs the firm's national bankruptcy practice. Her practice combines a depth of experience in bankruptcy restructuring and litigation with financial transaction work. She represents clients throughout the U.S. in in- and out-of-court corporate restructuring and reorganization as well as providing strategic advice to corporate clients and independent boards on the legal risks associated with counterparty insolvency and the structuring of corporate acquisitions to minimize economic risks in the event of a counterparty's subsequent financial distress. Clients include debtors, statutory and plan trustees, official and ad hoc creditor committees, secured lenders, DIP lenders, private equity funds, contract counterparties, landlords, trade creditors and buyers (both strategic and financial) and sellers of assets. She has been involved in over 100 bankruptcy-related adversary proceedings.

Robin has been with Andrews Kurth 25 years. In January of 2011 she was appointed as the Houston office Managing Partner. She currently serves on the firm's Policy Committee, Finance Committee, Opinions Committee, Women's Initiative Team, Associates Committee, Conflicts Committee and Professional Development Committee. In 2011 she served as the practitioner member of the Fifth Circuit's Merit Selection Panel for a United States Bankruptcy Judge for the Southern District of Texas. Prior to joining Andrews Kurth, she served as clerk to the Honorable William Kilgarlin, Justice of the Supreme Court of Texas.

REPRESENTATIVE EXPERIENCE

- *In re Omega Navigation Enterprises, Inc., et al*, No. 11-35926; U.S. Bankruptcy Court for the Southern District of Texas, co-counsel to agent bank under senior secured credit facility
- *In re Reveille Resources (Texas) Inc.*, No. 11-31317; U.S. Bankruptcy Court for the Southern District of Texas, counsel for multiple oil and gas lessors
- *In re Age Refining, Inc., Debtor*, No. 1050501; U.S. Bankruptcy Court for the Western District of Texas, counsel to NuStar, purchaser of Debtor's refinery
- *Trico Marine Services, Inc., et al*, No. 10-12653; U.S. Bankruptcy Court for the District of Delaware, counsel for the holders of 3.00% Senior Convertible Debentures
- *In re Fairpoint Communications, Inc.*, No. 0916335; U.S. Bankruptcy Court for the Southern District of New York, counsel to Official Unsecured Creditor's Committee and post confirmation litigation trust
- *In re Bigler, LP*, No. 09-38188; U.S. Bankruptcy Court for the Southern District of Texas, counsel to Purchaser of debtor's petrochemical and terminal assets

INDUSTRIES

Banking/Financial Services

Energy

Finance

Health Care

Manufacturing and Sales

Real Estate

Restaurant

PRACTICES

Banking/Finance Litigation

Banking/Financial Services

Bankruptcy and Financial Restructuring Corporate

Corporate Compliance, Investigations and Defense

Debt Financing

Economic Recovery and Government Opportunities

Governance

Litigation

Private Equity

EDUCATION

LLM, 1993, Banking Law Studies, Boston University School of Law

JD, 1986, *cum laude*, Baylor Law School, Highest Ranking Graduate, *Baylor Law Review*, Editor-in-Chief, Who's Who Among Students in American Colleges and Universities

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- *In re Lyondell Chemical Company*, No. 09-10023; U.S. Bankruptcy Court for the Southern District of New York, counsel to multiple creditors and contract counterparties; post confirmation counsel to board member of Litigation Trust
- *General Growth Properties, Inc.*, No. 09-11977 (ALG); U.S. Bankruptcy Court for the Southern District of New York, counsel to largest holder under Contingent Stock Agreement
- *In re Semcrude, L.P.*; No. 08-11525 (BLS); U.S. Bankruptcy Court for the District of Delaware, counsel to multiple preference defendants and to defendant in downstream purchaser litigation
- *In re Pilgrim's Pride Corporation, et al.*, No. 08-45664; U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee
- *In re Lehman Brothers Holdings, Inc., et al.*; No. 08-13555; U.S. Bankruptcy Court for the Southern District of New York, counsel to multiple swap counterparties
- *In re Mirant Corporation, et al.*, No. 03-46590-DML U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee/Counsel to post confirmation Litigation Trust, *MC Asset Recovery, LLC*
- *In re LOGIX Communications Enterprises, Inc.*, No. 02-32106-H5-11 U.S. Bankruptcy Court for the Southern District of Texas, counsel to the Official Unsecured Creditor's Committee
- *In re Vlastic Foods International*, No. 01-00285(MFW); U.S. Bankruptcy Court for the District of Delaware, counsel to post confirmation Litigation Trust, VFB LLC
- *In re ProMedco, et al.*, No. 00-46863-BJH-11; U.S. Bankruptcy Court for the Northern District of Texas, counsel to Debtor
- *In re Physicians Resource Group, et al.*, No. 00-30748-RCM U.S. Bankruptcy Court for the Northern District of Texas, Inc., counsel to Debtor
- *Unifi Communications Inc.*, No. 99-40302(JFQ) U.S. Bankruptcy Court for the District of Massachusetts, counsel to Official Unsecured Creditors Committee
- *In re Heartland Wireless Communications*, No. 98-2692; U.S. Bankruptcy Court for the District of Delaware, counsel to the Official Committee of Unsecured Creditors
- *In re Pinnacle Trading Card Company, et al.*, No. 98-1716 (MFW) U.S. Bankruptcy Court for the District of Delaware, counsel to DIP Lender
- *In re First City Bancorp*, No. 92 U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee
- *In re Wang Laboratories*, No. 92-18525-WCH U.S. Bankruptcy Court for the District of Massachusetts, counsel to largest landlord, Howard Hughes Properties
- *In re The One Bancorp*, No. 92- U.S. Bankruptcy Court for the District of Massachusetts counsel to Official Unsecured Creditor's Committee
- *In re Cumberland Farms*, No. 92-41305-JFQ U.S. Bankruptcy Court for the District of Massachusetts, counsel to refinery counterparty
- *In re Bank of New England Corporation*; No. 9110126 (WCH) U.S. Bankruptcy Court for the District of Massachusetts, counsel to Chapter 7 Trustee
- *In re Bank East Corporation*, No. 89-1981 U.S. Bankruptcy Court for the District of New Hampshire, counsel to largest noteholders and post confirmation reorganized debtor

BS, 1983, *magna cum laude*, International Trade, Texas Tech University, Mortar Board, Student Government Senator, Who's Who Among Students in American Colleges and Universities

ADMISSIONS

Texas 1986
 Massachusetts 1992
 US District Court for the Southern District of Texas
 US District Court for the Northern District of Texas
 US District Court for the Eastern District of Texas
 US District Court for the Western District of Texas
 US District Court for the District of Massachusetts
 US District Court for the District of Wisconsin
 US Courts of Appeals for the First Circuit
 US Courts of Appeals for the Fifth Circuit
 US Supreme Court

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PUBLICATIONS

- "A Survey of Sanctions in Bankruptcy Courts: The Fifth Circuit and Beyond" *South Texas Law Review* (2014)
- Director Exposure & Coverage (October 2011)
- Five Focus Points for Protecting Against Your Counterparty's Bankruptcy *Straightline* (May 2011)
- District Court Overturns the TOUSA Fraudulent Transfer Ruling *The Banking Law Journal* (March 2, 2011)
- Dealing with Companies in Financial Distress *Texas Lawyer's Bankruptcy Law e-Newsletter* (February 1, 2011)
- Last Rights: Liquidating a Company (co-authored) *Oxford University Press* (2006)
- "Texas Practice Guide: Creditors' Rights" (co-authored) *Thomson Reuters* (updated annually since 1998)
- "Texas Practice Guide: Financial Transactions" *Volumes 2 and 3, Thomson Reuters* (updated annually since 2000)
- "Texas Secured Lending Guide" *Texas Bankers' Association* (in 18th edition, 2013)
- "Texas Problem Loan Guide" *Texas Bankers' Association* (in 2nd edition, 2009)
- "Texas Real Estate Lending Guide" *Texas Bankers' Association* (2007)
- "Understanding The Risks of Directing an Institution in Financial Distress" (co-authored) *Chapter 5, Handbook for Directors of Financial Institutions, Edward Elgar Publishing* (2008)
- "Maximizing Estate Value Through Effective Economic Litigation Analysis" (co-authored) *Norton's 1998 Annual Survey of Bankruptcy Law at 21, The West Group* (1998)

PROFESSIONAL RECOGNITION

- Direct Women Board Institute Member (selected in 2012 as a woman qualified to serve on a corporate board of a public company)
- Profiled as one the leading Corporate Restructuring (2012-2013) lawyers in the United States, *The US Legal 500*
- *The Best Lawyers in America*, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law; Corporate Law (2011-2014)
- Profiled as one of the leading Bankruptcy/Restructuring (2010-2013) lawyers in Texas, *Chambers & Partners USA: America's Leading Lawyers for Business*
- Profiled as one of "Texas' Top Rated Lawyers" by *ALM* in Bankruptcy (2012)
- "Women Worth Watching" 2012 Award Winner, *Profiles In Diversity Journal* (September/October 2011)
- Fellow, American College of Bankruptcy (appointed to Fifth Circuit Admissions Council for the 2013-2015 term)
- In April 2011, Robin was recognized by the National Diversity Council as one of the Most Powerful and Influential Women in Texas
- June 2011 Baylor Law School Alumna of the Month
- Texas Super Lawyer in Bankruptcy and Creditor/Debtor Rights, *Texas Monthly* (2006 - 2011, 2013)
- American Law Institute (elected 2007)

BRIEFINGS, SEMINARS & SPEECHES

The following represents events from recent years:

- Upcoming: "Interest Rates and Make-Whole Provisions," State Bar of Texas, Advanced Business Bankruptcy Course (February 20, 2014)
- Upcoming: "Loan Documentation," Texas Bankers Association Lending School (February 5, 2014)
- Upcoming: "Energy Industry Update," 20th Annual Distressed Investing Conference (December 2, 2013)
- Upcoming: "Bankruptcy Best Behavior: How to Avoid Sanctions," HBA Bankruptcy Section CLE Brown Bag with Judge Isgur (November 21, 2013)

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- "Avoiding Sanctions in Bankruptcy Court," Houston Bar Association's "All Day Ethics" Program (November 2, 2013)
- "A Survey of Sanctions in Bankruptcy Court: The Fifth Circuit and Beyond," South Texas College of Law's 20th Annual Ethics Symposium on Bankruptcy Ethics (October 25, 2013)
- "Oil & Gas Lending," Texas Bankers Association Webinar (October 22, 2013)
- Moderator, "Deal Makers and Deal Breakers," Andrews Kurth 2013 Executive Women's Retreat (October 12, 2013)
- "Texas Real Estate Loan Documentation," Texas Bankers Association Real Estate Lending School (September 16, 2013)
- "Who is My Client?—Conflicts of Interest in Representing Debtors in Bankruptcy," CLE presented as part of "Avoiding Train Wrecks in Chapter 11," American Inns of Court (April 30, 2013)
- "Energy Industry Update," 19th Annual Distressed Investing Conference (November 26, 2012)
- Panelist, School Options Symposium at Rice University (November 15, 2012)
- "Sanctions in Bankruptcy Courts," 30th Annual Advanced Business Bankruptcy Course (September 14, 2012)
- "Lender Liability Suits and Workouts," State Bar of Texas 4th Annual Suing, Defending and Negotiating with Financial Institutions Course (February 10, 2012)
- "Point of the Sword: Avoidance Litigation," CLE presented as part of "Issues Arising with Insolvent Affiliates—From the Boardroom to the Courtroom," American Inns of Court (November 15, 2011)
- "The Structure and Organization of U.S. Law Firms," Judiciary System Program, The University of Houston - Hobby Center for Public Policy (October 18, 2011)
- "Director Exposure & Coverage," Executive Women's Retreat, Strategies & Pursuits Continuing Legal Education Panels - Behind Boardroom Doors (October 15, 2011)
- "The Opportunities and Risks of Investing in Distressed Financial Institutions," (Panelist) 17th Annual Distressed Investing Conference (November 29, 2010)
- "Something in the Way They Move: Motion Practice in Bankruptcy Appeals," ABA panelist, National Conference of Bankruptcy Judges 84th Annual Conference (October 14, 2010)
- "Equity Committees," State Bar 28th Annual Advanced Business Bankruptcy Conference (June 3, 2010)
- "Managing Commercial Loan Workouts to Minimize Litigation," 36th Annual TBA Legal Conference (March 26, 2010)
- "Fraudulent Conveyances - Lessons Learned on the Front Lines," Inns of Court, Friday Morning with Judge Bohm (February 26, 2010 panelist)
- "Strategies for Securing and Managing Equity Committees," 16th Annual Distressed Investing Conference (November 30, 2009 with Paul Silverstein)
- "Dealing with Companies in Financial Distress" Texas State Bar 8th Annual Advanced In-House Counsel Course (July 31, 2009)
- "Valuation," The University of Texas 2009 Bankruptcy Litigation: Advanced Pre-Trial Practice and Procedure Workshop (February 6, 2009)
- "The Credit Crisis: What You and Your Board Should Know" Society of Corporate Secretaries and Governance Professionals (January 21, 2009)
- "Engagement Letters — Valuation v. Consulting," Valuation Engagements Fast & Furious Course, Texas Society of Certified Public Accountants, Houston CPA Society (April 25, 2008)
- "Solutions to the Texas Dropout Crisis: A Focus on Student Engagement," (Co-Chair) Children at Risk Conference (September 26, 2007)
- "Valuation in Bankruptcy Litigation," Dallas Bar Association Bankruptcy and Commercial Law Section (September 5, 2007)
- "Last Rights: Finding Value in Liquidations," (panelist) 10th Annual Conference on Corporate Reorganizations, Chicago, Illinois (June 21, 2007)
- "How Far Can We Go With Rule 2004?" The University of Texas 2007 Bankruptcy Litigation Advanced Pre-Trial Practice and Procedure Workshop (February 2007)