



Joshua Divack

Partner

New York
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PRACTICES

- Bankruptcy & Restructuring

ADMISSIONS

- New York
- New York USDC, Eastern District
- New York USDC, Southern District
- US Ct Appeals, 2nd Circuit (CT, NY, VT)
- US Supreme Ct

EDUCATION

- Emory University School of Law, J.D., With Distinction, 1988, Managing Editor, Bankruptcy Developments Journal
- Cornell University, A.B., cum laude, 1985

EMPLOYMENT

- Thompson Coburn; Partner, 2021-Present
- Hahn & Hessen; Partner, 2002-2021 Associate, 1988-2001

Josh represents financial institutions as secured creditors in Chapter 11 bankruptcy cases, corporate restructurings and workouts, which he has done in bankruptcy courts from coast to coast.

He has particular experience in cash collateral and DIP financing matters, bankruptcy court sales, and UCC Article 9 matters including secured party dispositions. He frequently advises on bankruptcy and insolvency issues arising in the structuring and documentation of commercial lending transactions.

Josh has led presentations for firm clients and legal and industry groups on cash collateral and bankruptcy financing issues.

Experience

- **Represented the senior lender, in the New York Chapter 11 case of a sports and entertainment branded home textiles manufacturer.**
- **Represented the preferred shareholder, in the Delaware pre-packaged Chapter 11 case of a California wine country resort hotel, which provided DIP funding and converted its interest into 100% equity ownership of the reorganized entity.**
- **Represented the senior lender, in the Salt Lake City Chapter 11 case of a modular building space provider.**
- **Represented the senior mortgagee, in the New York Chapter 11 case of a shopping center in suburban Cleveland.**
- **Represented the stalking horse bidder and bridge DIP lender, in the Austin Chapter 11 bankruptcy sale of a technology company specializing in password authentication access management.**
- **Represented the plan proponent, in the Miami Chapter 11 case of an air cargo carrier, which converted senior secured claims into 100% equity ownership of the reorganized entity.**