



## Mark Power

Partner

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### PRACTICES

- Bankruptcy & Restructuring

### ADMISSIONS

- New York
- US Ct Appeals, 2nd Circuit (CT, NY, VT)
- US Ct Appeals, 3rd Circuit (DE, NJ, PA, Virgin Islands)

### EDUCATION

- Boston College Law School, J.D., Cum Laude, 1988
- The George Washington University, B.B.A., 1985

### EMPLOYMENT

- Thompson Coburn; Partner, 2021-Present
- Hahn & Hessen; Partner, 1991-2021
- Chadbourne & Park LLP; Associate, 1988-1991

### PUBLICATIONS

- "Sub-Prime Primer: The Key Legal Issues Facing Creditors, Mortgage Loan Originators and Servicers in Chapter 11," *The Americas Restructuring and Insolvency Guide*, 2008/2009

Mark has extensive experience in all aspects of financial restructuring and insolvency issues, and draws on that experience to develop creative and pragmatic ways to solve or protect clients' interests. He represents creditors' committees, debtors, noteholders, lenders and secured creditors in bankruptcy proceedings as well as acquirers of and investors in troubled, distressed and bankrupt companies.

He also counsels management and creditors with respect to insolvency matters and crisis management. Mark has played a prominent role in large and small restructurings and bankruptcies throughout the United States. His broad-based, well-rounded practice and experience has enabled him to provide clients with unique and innovative solutions to highly complex and litigious matters.

He has represented sellers and purchasers of debt and equity positions of troubled companies and acquirers of distressed businesses in such industries as telecommunications and integrated communications providers; e-commerce; internet and technology; manufacturing; marketing; retail chains and energy.

Mark has counseled lenders in post-petition financing transactions in such industries as retail, manufacturing, telecommunications, environmental remediation, restaurant chains and hospitality. He has worked on behalf of creditors and other parties-in-interest in bankruptcy reorganization and liquidation proceedings including the handling of DIP financing or cash collateral motions, relief from the automatic stay and adequate protection matters, the assumption or rejection of unexpired leases or executory contracts, valuation hearings, plan formulation and drafting, and confirmation hearings. Mark also represents plaintiffs or defendants in a variety of adversary proceedings regarding lien and priority issues, preferences, equitable subordination, fraudulent conveyances and/or inter-creditor disputes.

Mark lectures frequently on current restructuring and bankruptcy issues. He also contributes to various publications and seminar materials on a

variety of restructuring and bankruptcy topics.

### **Experience**

- **Mark has represented numerous creditors' committees in high profile bankruptcy proceedings including:**

Vertellus Specialties Inc., large multi-national specialty chemical manufacturer;

Hancock Fabrics, Inc., one of the largest fabric retailers in the United States;

AWI Delaware, Inc., White Rose and Nell's, mid-Atlantic and New Jersey based supermarket and specialty store distributor and retailer;

Reichhold Holdings US, Inc., manufacturer of unsaturated polyester resins for fabrication of composite products and coatings;

Syms Corp and Filene's Basement, clothing and accessories retailer;

Extended Stay/Homestead Hotels, large international hotel operator;

Furniture Brands International, Inc., manufacturer, wholesaler and retailer of home furniture and furnishings;

PJ Finance Company, LLC, owner and property manager of 33 apartment complexes located throughout the United States;

New Century Financial Corporation, residential home mortgage originator, securitizer and servicer;

American Home Mortgage Investment Corp., residential home mortgage originator, securitizer and servicer;

Credit-Based Asset Servicing And Securitization LLC (Litton Servicer), whole loan purchaser and securitizer;

Ciena Capital LLC, originator, securitizer and servicer of Small Business Association 7(a) loans, Dept. of Agriculture loans and Commercial real estate loans;

Penson Holdings, Inc., clearing broker and execution provider;

Loehmann's Holdings, Inc. (II), clothing and accessories retailer;

Teleglobe Communications Corp., US Subsidiary of Canadian telecommunications company;

MPC Computers LLC, manufacturer of Gateway computers and laptops;

TW, Inc. (The Wiz Electronics Stores), electronics and computer retailer;

Cone Mills Corp., the largest U.S. producer of denim-based products;

American Classic Voyages Corp., the largest U.S.-flagship cruise company;

Joan & David's, a chain of retail stores selling high-end women's and children's shoes and accessories;

Musicland Holding Corp. (Sam Goody's), music, video and electronics retailer with over 850 stores;

4Kids Entertainment, Inc., full-service children's brand management company;

Crabtree & Evelyn, personal care products retailer and manufacturer;

HQ Global Holdings, Inc., worldwide provider of temporary office space.