



Michael L. Hall

Partner

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"Providing clients with a confident, strategic plan for success is paramount. We assess their goals and curate a plan of action with a clear path forward. My team and I approach each case strategically and work diligently for every client."

Mike has the experience and confidence to solve legal issues and avoid business disruption. As a Partner in the Creditors' Rights and Bankruptcy Practice Group, Mike and his team assist clients who are experiencing financial distress across a wide range of industries, including manufacturing, health care, transportation, education, internet infrastructure, real property development, mining, agriculture, restaurant chains, and media outlets.

Mike represents various stakeholders in Chapter 11 cases, including pursuing claims of commercial lenders against the debtor, the collateral, and guarantors in bankruptcy, federal, state, and receivership courts. Mike has served as the lead counsel for lender groups and business owners in numerous high-profile and multimillion/multibillion-dollar cases, successfully helping clients and negotiating solutions involving consensual restructuring, recovery, and liquidation. He has established a reputation as a reliable and strategic asset during times when a plan for resolution and minimal disruption is needed. His vast array of clients proves that no matter the client's background, Mike and his team will take on the case and work to achieve the best outcome. Mike has represented a member-owned financial cooperative, providing banking services, including saving, loans, and other financial services to members, a legal malpractice insurance company, and a producer and exporter of met coal, to name a few.

PARALEGAL/ASSISTANT

Paralegal

Sandra P. Wilson
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Legal Practice Assistant

Tina M. Schilleci
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CAPABILITIES

Bankruptcy Litigation
Manufacturing
Creditors' Rights and Bankruptcy
Debtor in Possession Financing
Lender Liability
Avoidance Actions
Workouts, Restructurings, & Enforcement
Section 363 Sales
Receiverships

EDUCATION

J.D., Duke University School of Law
B.S., Catholic University of America

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Due to his dedication to the law, Mike has received numerous professional accolades, including being named in Lawdragon's 500 Leading U.S. Bankruptcy & Restructuring Lawyers, Chambers USA, The Best Lawyers in America, Mid-South Super Lawyers, Alabama Super Lawyers, and receiving a Martindale-Hubbell A.V. Preeminent Peer Review Rating.

Mike is a member of the American Bar Association, Alabama State Bar, Mississippi Bar Association, and Birmingham Bar Association, and serves as an American College of Bankruptcy Fellow. He received his J.D. from Duke University School of Law and attended The Catholic University of America.

Experience

- Lead counsel in representing the leading secured lender liquidating and collecting on a \$440 million secured loan (including participants) made to mixed use real property developer, where the security interest was primarily on seven separate developments. After negotiations, we obtained the appointment of different receivers of our clients' choosing and the developments were sold separately for over \$300 million.
- Lead counsel representing the leading secured lender owed over \$130 million in a Chapter 11 proceeding filed by a mixed use real property developer. We obtained the appointment of a "chief administrator" (of our client's choosing) who functioned like a receiver and involved an unusual form of DIP lending. We assisted our client in recovering over \$100 million.
- Lead counsel in representing the leading secured lender in a Chapter 11 proceeding of a chicken processing operation, where our client was owed about \$60 million secured by over 600,000 live chickens and other mostly personal property assets. We obtained DIP financing and required an agreed chief restructuring officer to manage the operations. The operating assets were sold as a going concern for over \$50 million.
- Counsel in representing the leading secured lender group owed over \$2 billion in a Chapter 11 proceeding filed by a coal mining company and a dozen affiliates. Obtained an order to reject collective bargaining and pension obligations. The going concern was sold to a newly created operating entity for \$1.25 billion.
- Lead counsel in representing the leading secured lender group in a Chapter 11 proceeding against another creditor claiming to hold an approximate \$200 million overriding royalty interest ("ORRI")

LICENSED IN

Alabama

Mississippi

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in natural gas production. We filed a proceeding to defeat the ORRI entirely and prevailed, which meant that the ORRI holder completely lost its secured interest. Thereafter, the ORRI holder (a Delaware trust) self-liquidated.

- Lead counsel in representing leading secured lender owed approximately \$25 million, against a charter school chain with schools in twenty states, the Middle East, and India. We obtained a highly contested appointment of a receiver (of the client's choosing) in federal court to run the American schools and convinced our client's two secured lenders that our liquidation through receivership plan was also in their best interests. They not only allowed us to proceed, but the client's lenders actually funded the receivership process. The receiver kept a teacher in every classroom in every American school for every school day for an entire school year and the client survived financially.
- Lead counsel in representing a metal fabricator in the automotive manufacturing sector when it (and its affiliates) filed Chapter 11 bankruptcy where the total acknowledged debts exceeded \$750 million plus the proceeds of a DIP loan. After working through a major issue regarding the debtor's refusal to deliver parts unless they were paid in full and current, we confirmed a Chapter 11 plan of reorganization that swapped debt for equity, obligated the debtor to pay secured lender about \$600 million, and paid a small percentage recovery to unsecured creditors.
- Lead counsel in representing automobile manufacturer ("OEM") in a Chapter 11 proceeding of a Tier One automobile parts fabricator where our client's annual payments to the fabricator exceeded \$300 million. We purchased the leading secured creditor's loan and also made a DIP loan, but only after the court had appointed a chief restructuring officer ("CRO") of our choosing whom the fabricator could not remove. The CRO kept the OEM supplied with parts so as to never interrupt production and sold the business for a respectable price.
- Lead counsel in representing automobile manufacturer ("OEM") in a Chapter 11 proceeding of a multi-billion dollar general contractor construction company. The construction company had started constructing a new full-line manufacturing plant for our client with the cost exceeding \$1 billion. We negotiated a contract with the debtor that if it failed to meet any construction mileposts, the OEM had the right to move the construction into a client owned SPE and immediately take with it all of the debtor's employees and assets involved in the project. The plant was finished on time.
- Lead counsel in representing a plaintiff's law firm in its own Chapter 11 proceeding. We instituted litigation against a former landlord who claimed over \$10 million in rent. We were able to resolve the litigation with the landlord on favorable terms, which led to confirmation of a Chapter 11 plan of reorganization through which the law firm continues to operate.
- Lead counsel in representing secured creditor owed over \$3 million in a Chapter 11 proceeding secured by certain food processing equipment of a more than 20 store quick service restaurant chain. We negotiated an upfront agreement as adequate protection that upon the borrower's subsequent default, our client had the right to arrange for the debtor a sale of all of the stores and file its own Section 363 sale motion to accomplish the sale. The debtor defaulted, and we found multiple interested buyers. We filed a motion for a contested 363 sale and sold the operating asset to a single third party buyer which resulted in our client being paid in full.
- Lead counsel in representing Chapter 11 individual debtor with an over \$100 million likely non-dischargeable judgment against him. There was second major creditor that claimed to be owed \$500+ million. The case itself was a protracted litigation with many battles, primarily regarding avoidance

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actions. In the end, the debtor and transferees transferred substantial assets to the creditors, the debtor and the transferees retained far less but still a significant amount of assets, and the debtor received his complete discharge through a hard fought but ultimately consensual plan of reorganization.

- Lead counsel in representing leading secured lender of a trucking company in Chapter 11. About a year before bankruptcy, the debtor had attempted to move the receivables beyond the reach of our client's security interest. We recovered all of our rolling stock collateral and the client was paid in full.
- Lead counsel in representing secured lender of a specialty bus operator that operated several dozen nicely appointed, custom equipped buses. After the bus operator defaulted, we were hired and with two months had obtained a contested writ of replevin and sold all of the buses to an even more famous country music singer. Throughout, service was never interrupted and all concerts occurred as scheduled. The client obtained a substantial recovery.
- Lead counsel in representing secured lender of an employee owned fabricator in Chapter 11 where the total debt was approximately \$30 million. We obtained relief from automatic stay and immediately obtained the appointment in state court of a client-selected receiver to run the company. The receiver then returned to the bankruptcy proceeding to sell through 363 sales three different facilities of the company to three different buyers, all as going concerns.
- Lead counsel in representing purchaser of a statewide licensed home health care company through a Chapter 11 bankruptcy. All of the required licenses were maintained through the sales process (with assistance from the bankruptcy court in overcoming objections from the regulator) so that no patient went unattended.
- Lead counsel in representing a manufacturer sued by another manufacturer in the same industry which recently had emerged from a confirmed Chapter 11 case. The former debtor sued our client for \$60 million in lost profits, claiming that pre-petition our client breached its multiyear large scale production contract with the former debtor. The claim had been preserved in the bankruptcy case. After cross motions for summary judgment were filed, we settled with our client paying nothing and also recovering most of its \$30 million counterclaim.
- Lead counsel in representing leading secured creditor of an American textile manufacturer in a Chapter 11 proceeding owned by a post-turnover Hong Kong company that was itself owned by Malaysian company. We recovered and sold the principal assets to separate buyers including the plant, the inventory, and a waste water treatment facility. We also discovered a multi-million dollar promissory note owed by the Hong Kong parent to the Malaysian grandparent that had been assigned to the American company. We filed a proof of debt and pursued litigation in Hong Kong, which interrupted an otherwise consensual reorganization. We were able to parlay that seized note into a greater recovery in America while surrendering our claim in Hong Kong.
- Lead counsel in representing land owner in opposing state condemnation project to build a road and river bridge across his undeveloped land. After hiring a scientist as an expert witness, we were able to change the focus from building "connectivity" to protecting the municipality's source of drinking water and raised arguments regarding the limits of the power of eminent domain. We pursued action against an arguably illegal act by a supporter of the project which led to the state dropped the project after making a substantial investment.
- Lead counsel in representing secured creditor with the senior lien on all of the textile company's equipment, including the sewing machines. The primary lender had foreclosed on its collateral and sold

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the operation to a new company buyer. This created an issue because included in the sale was our client's collateral. After brief litigation, our client was paid in full

- Lead counsel in representing automobile manufacturer ("OEM") where a sole source Tier One automobile new car parts fabricator. The supplier was holding the tools and dies hostage, threatening to toss the unique equipment into the adjacent river unless it received a substantial price increase. We filed suit and the Court granted an immediate injunction so we could remove the equipment and transfer and install it at a different Tier One competitor. The tools and dies were relocated and installed. New car production remained at full throttle.
- Lead counsel in representing leading secured lender owed \$70 million secured by the assets of a brick manufacturing company. We negotiated with the brick company for years as the debtor threatened Chapter 11 and threatened a state court receivership. Upon arrival at the state court, the debtor conceded and we were able to sell the brick company as a going concern to a well-recognized conglomerate for a substantial recovery.
- Lead counsel in representing the leading secured lender to liquidate and collecting on a \$70 million secured loan (including participants) made to a mixed use real property developer. The primary competing interest was the development bondholder who maintained it was due to be paid in full, thereby relegating the secured lender to a de facto second lien position. The court appointed a receiver selected by the secured lender to operate, improve, and sell, the development which also included occupied apartments and subsidence litigation. The parties eventually negotiated a resolution and the property was sold to a new owner, with the proceeds being divided between the secured lender and the bondholder.

Honors & Recognition

- American College of Bankruptcy, Fellow
- Named, *Lawdragon* 500 Leading U.S. Bankruptcy & Restructuring Lawyers (2020, 2022-2023)
- Named, *Chambers USA*, Bankruptcy/Restructuring (2010-2023)
- Listed in *The Best Lawyers in America*®, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law since 2005, Litigation-Bankruptcy since 2011, Bet-the-Company Litigation since 2016
 - Listed in *The Best Lawyers in America*®, "Lawyer of the Year," Litigation - Bankruptcy (2012), Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, Birmingham, Alabama (2011,2015,2021)
- *Mid-South Super Lawyers*, Bankruptcy: Business since 2016
- *Alabama Super Lawyers*, Bankruptcy & Creditor/Debtor Rights (2008-2015)
- Martindale-Hubbell AV Preeminent® Peer Review Rating

News

- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List
Firm News, 11.28.2023

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- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- Seven Burr Attorneys Named to Lawdragon's 2023 List of Leading Bankruptcy & Restructuring Lawyers
Firm News, 06.29.2023
- 61 Burr & Forman Attorneys Ranked in 2023 Chambers USA
Firm News, 06.01.2023
- 63 Burr & Forman Attorneys Ranked in 2022 Chambers USA
Firm News, 06.03.2022

Speaking Engagements

- Speaker, ABI Annual Spring Meeting
Speaking Engagement, Marriott Marquis; Washington, D.C., 04.20.2017

Professional Activities

- American Bar Association
- Alabama State Bar
- Mississippi Bar Association
- Birmingham Bar Association