



## Lisa Hill Fenning

Partner

Lisa Hill Fenning, a fellow of the American College of Bankruptcy, is a partner in the bankruptcy and corporate reorganization practice group. She advises and represents companies in the energy, real estate, communications, entertainment, sports, travel, transportation, technology, and other industries with respect to corporate and financial restructuring, asset acquisitions and mergers in bankruptcy, and bankruptcy and insolvency-related litigation, drawing upon her extensive experience in presiding over thousands of Chapter 11 corporate reorganizations as a bankruptcy judge. Ms. Fenning also serves as a mediator in bankruptcy-related matters, including plan mediations and litigation disputes, and advises clients on negotiating and structuring transactions to provide protection from potential counterparty bankruptcies.

From 1985 to 2000, Ms. Fenning served as a US Bankruptcy Judge for the Central District of California, and then as a mediator with JAMS. Before her appointment to the bench, she was a litigator and bankruptcy practitioner with firms in Chicago and Los Angeles. Ms. Fenning graduated Yale Law School, following which she clerked for the Honorable Philip W. Tone of the US Court of Appeals for the Seventh Circuit.

### Representative Matters

- *In re Delta Airlines, Inc.* (Bankr. S.D.N.Y.)—Representing two aircraft lessors holding filed claims of approximately US\$230 million, in defense of test-case litigation challenging leveraged lease-related tax indemnity claims. (Pending);
- *In re 3dfx, Inc.* (Bankr. N.D. Cal)—Representing landlord who is the largest general unsecured creditor of failed publicly held technology company. (Pending);
- *In re Adelpia Communications Corp.* (Bankr. S.D.N.Y.)—Represented major provider of programming in the restructuring of its contracts with ACC and the successful resolution of administrative contract claims arising from

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#### Practice Areas

Bankruptcy and Corporate  
Restructuring

Corporate and Securities

#### Education

JD, Yale Law School, 1974

BA, Wellesley College, 1971

#### Admissions

California

Illinois

District of Columbia

New York

Supreme Court of the United  
States

US Court of Appeals for the  
Second, Third, Sixth, Seventh,  
and Ninth Circuits

US District Courts for the  
Eastern, Northern and Southern  
Districts of California

US District Court for the  
Northern District of Illinois

US District Court for the  
Southern District of New York

termination of the new contracts upon sale of the assets;

- *In re United Airlines, Inc.* (Bankr. N.D. Ill.)—Represented five aircraft lessors and two real property lessors holding filed claims of nearly US\$1 billion. Successfully defended test-case litigation challenging leveraged lease-related tax indemnity claims;
- *In re Pacific Gas and Electric Company* (Bankr. N.D. Cal.)—Represented parent of utility company in the largest utility Chapter 11 case, with primary responsibility for jurisdiction and enforcement issues in successful solvent company reorganization;
- *In re Kaiser Aluminum Corporation* (Bankr. D. Del.)—Represented parent of major aluminum manufacturer with respect to tax allocation and other intercompany issues;
- *In re Comdisco, Inc.* (Bankr. N.D. Ill.)—Obtained multimillion-dollar employment contract settlement for former executive;
- *In re Wash Depot Holdings, Inc.* (D. Del.)—Represented secured lender in contested plan confirmation battle, ultimately resulting in a satisfactory buyout of the claim for cash;
- *In re Metromedia Fiber Network* (Bankr. S.D.N.Y.)—Recovered fully-equipped state-of-the-art webhosting data center, plus a multimillion cash settlement, on behalf of a landlord—within the first six weeks of the Chapter 11 case; and
- *In re Complas, Inc.* (Bankr. C.D. Cal.)—Represented telecommunications service company in liquidating Chapter 11 case in the wake of 9/11 market collapse. Successfully transitioned operations and personnel, and satisfied nearly US\$40 million in secured debt.

#### *Presided Over:*

- *In re Bruce McNall, In re Los Angeles Kings Hockey* (Bankr. C.D. Cal.)—Related Chapter 11 cases that resulted in the sale of the LA Kings hockey team and the building of the Staples Center in Los Angeles;
- *In re Carolco Pictures, Inc.* (Bankr. C.D. Cal.)—Chapter 11 case involving disposition of movie rights and libraries, including rights to Spider-Man and Terminator 3, and adjudication of copyright and movie production-related contract rights;
- Chapter 11 cases for other movie and television production companies, including *Cannon Pictures, Inc.*, *Qintex Entertainment, Inc.*, *Gladden Entertainment* and *Peregrine Entertainment*;
- *In re First Executive Life* (Bankr. C.D. Cal.)—Mega-Chapter 11 case proceeding on currently with state court insurance rehabilitation proceedings. Confirmed a plan within 18 months of filing; and
- *In re Mission Insurance Group* (Bankr. C.D. Cal.)—Confirmed plan in complex insurance holding company Chapter 11 case.

#### **Rankings**

- *Chambers USA: America's Leading Lawyers for Business* 2009 for Bankruptcy/Restructuring: California

- *Southern California Super Lawyers* 2009

## **Professional and Community Activities**

- American Bankruptcy Institute, Board Member (1994 - 2000)
- American Bar Association
  - Commission on Women in the Profession, Founding Member (1987 - 1991)
  - Standing Committee on Federal Judicial Improvements (1995 - 1998)
  - Joint Task Force on Bankruptcy Court Structure and Insolvency Processes, Member (1994 - present)
- American Bar Foundation Fellow
- American College of Bankruptcy Fellow
  - Ninth Circuit Council for the Board of Regents, Chair (1995 - 1998)
- California State Bar
  - Committee on Women in the Law, Founding Member (1984 - 1987); Chair (1986 - 1987)
  - Insolvency Law Committee, Member (2002 - 2005), Ex Officio Advisor (2005 - present)
- Los Angeles Bankruptcy Forum , Board Member (2000 - 2004), Member (1985 - Present)
- National Conference of Bankruptcy Judges Board Member (1989 - 1992), Member (1985 - Present)
  - Endowment for Education, Board Member (1992 - 1997); Chair (1994 - 1995)
- National Conference of Women's Bar Associations (1985 - 1989)
  - President (1987 - 1988); President Elect (1986 - 1987); Vice President (1985 - 1986)  
Member of the Board (1985 - 1989)

## **Books**

- Lisa Hill Fenning, J. Esher and E. Katz. "Guide to Bankruptcy Mediation" 2d. Ed. (American Bankruptcy Institute: Washington, DC 2009).

## **Articles**

- Lisa Hill Fenning. "Summary of United States Bankruptcy and Insolvency Law" Co-authored with I. Goldstein, *Insolvency & Restructuring in 48 Jurisdictions Worldwide (Getting the Deal Through: London, 2007, 2008)*.
- Lisa Hill Fenning. "Executory Contract Issues and Strategies" *Understanding the Legal Issues Behind Executory Contracts in Bankruptcy* (Aspatore, Inc., 2006).
- Lisa Hill Fenning. "Using ADR Tools to Solve the Problems of Financially Distressed Businesses" *Alternative Dispute Resolution Settlements and Negotiations* (Aspatore Inc., 2006).

## **Presentations**

- Lisa Hill Fenning. "New Adventures in Fee Collection: Drafting and Enforcing Attorneys' Fees Clauses after Travelers" Panelist, California State Bar Insolvency Law Committee, Webinar (June 14, 2007).
- Lisa Hill Fenning. "Prove It? A Discussion of Evidence" Panelist, American College of Bankruptcy Annual Meeting, Washington, DC (March 24, 2007).
- Lisa Hill Fenning. "Review of 9th Circuit Published Decisions on Bankruptcy for 2005-2006" Panelist, Los Angeles County Bar Association Commercial Law and Bankruptcy Section, Los Angeles, CA (September 26, 2006).