



## → Alan H. Martin

### Partner

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Alan Martin is a partner in the Finance and Bankruptcy Practice Group and Co-leader of the firm's Bankruptcy Litigation Team. He specializes in commercial finance law, corporate restructuring, asset acquisition and disposition, bankruptcy, workouts, enforcement of creditors rights and remedies, and related commercial litigation.

### Areas of Practice

Alan's expertise includes extensive work in bankruptcy and state courts, as well as structured finance documentation in domestic and international matters. He also represents insurers, special servicers, creditors committees, secured and unsecured creditors, trustees, landlords, federal receivers, equipment lessors and debtors, along with various parties in municipal restructurings. Alan's experience includes knowledge of the commercial real estate, healthcare, food and beverage, retail, manufacturing, hospitality, insurance and recreation industries.

## Honors

*Best Lawyers*, Orange County Litigation - Bankruptcy Lawyer of the Year, 2014-2015 and 2017-2018, 2020-2026

*Legal 500*, Corporate Restructuring, 2007, 2012-2017

*Best Lawyers in America*, Bankruptcy and Creditor-Debtor Rights Law, 2007-2026

2012 "Best in Sales" SPIRE Award, Commercial Real Estate Women, Orange County Chapter, February 2013 for the Catholic Diocese of Orange's acquisition of the Crystal Cathedral Campus

Recommended Lawyer - Tax: Not-for-profit, *Legal 500*, 2022

## Experience

### Representative Matters

- Represented the Catholic Diocese of Orange in the successful, contested acquisition of the Crystal Cathedral site and 30 acre campus from the Chapter 11 estate of the Crystal Cathedral Ministries.
- Represented creditors committee and subcommittee in Chapter 9 municipal insolvency proceedings of the County of Orange, California.
- Represented agent bank on loan workout, bankruptcy, enforcement of creditor's rights, lien litigation, guarantor proceedings and related REO sales concerning several large syndicated commercial loans to a national residential developer.

- Represented agent bank on a large, syndicated loan concerning a partially completed ski resort hotel complex in Northern California. The representation entailed creditor's rights enforcement as to numerous obligors in bankruptcy proceedings, related state court receivership proceedings and extensive lien litigation.
- Represented insurers regarding both trade credit and varied related insurance issues in retailers' Chapter 11 proceedings.
- Represented agent bank on loan workout, extensive land use issues, enforcement of creditor's rights, and lien and guarantor litigation concerning a series of syndicated and participated loans made to a large national official shopping mall developer in Southern California.
- Represented federal receiver in SEC receivership proceedings concerning an illegal investment program which victimized over 1,000 investors nationwide. Representation entailed, among other things, disposition of extensive resort-related real estate holdings in several states, pursuit of litigation against various company officials and development of a distribution plan to the investors.
- Represented health care lenders concerning loan workouts, receiverships and creditor's rights enforcement of rights and remedies concerning a series of clinic, hospital and senior care locations.
- Represented creditors committee in the Chapter 11 proceedings of large home improvement retailer House2Home, which entailed disposition of extensive inventory and commercial real estate holdings and related issues throughout the Western United States.
- Represented existing lender in successful, heavily contested "new value" equity acquisition of Chapter 11 reorganized multi-family real estate debtors. The debtors owned several large apartment complexes in four states and the court-approved acquisition by the secured lender-related entity occurred over the objection of the old equity holders.
- Represented international food and beverage broker/creditor in the federal court receivership of Asian seafood importer.
- Represented equipment lessor in Chapter 11 proceedings of office supply store chain, including successful trial result concerning "true lease" treatment of the agreements concerning the extensive equipment involved.

## Articles

- Co-Author of California Mechanics Liens and Related Construction Remedies (4th ed Cal CEB 2012)
- "What Do The 2005 Bankruptcy Amendments Mean For The Healthcare Industry?" June 22, 2005

## Finance & Bankruptcy Law Blog Posts

- "Dealing with the Financial Impact of the Coronavirus," March 6, 2020
- "Chapter 9 - California and Federal Bankruptcy Law/Relative Bargaining Positions," June 29, 2012
- "What Do the Bankruptcy Amendments Mean for the Healthcare Industry?," June 11, 2005
- "So Your Customer Filed for Bankruptcy Protection: What to Expect Under the New Bankruptcy Act", May 19, 2005

## Speaking Engagements

He is frequent speaker on various banking, commercial law, bankruptcy and healthcare topics.

## Events

PPP and Other Assistance Programs – What’s Worked, What Hasn’t and What to Do Going Forward  
2020 Restaurant Legal Summit Virtual Edition  
10.14.2020

Foreclosure Litigation and Receivership: What it Entails and Looking Forward  
Webinar, 09.22.2020

The Workout of Distressed Properties  
Real Estate on the Ground Webinar Series  
09.10.2020

Managing Distress in the Cannabis Industry – Meeting Challenges and Opportunities  
Webinar, 09.09.2020

Municipal Restructurings after COVID-19: State Bankruptcies? What’s Next?  
Webinar, 04.28.2020

Navigating Complex Legal Issues Resulting From COVID-19: What Retailers Need to Know  
Webinar, 03.18.2020

## Memberships

Chairman of the Board, Regional Center of Orange County, 2013-2019

Board of Directors, Regional Center of Orange County, 2006-2012; 2013-2020

Board of Directors, Special Olympics of Southern California, 2020-Present

Member and Chair, Orange County Regional Leadership Council - Special Olympics

Member, Pujols Family Foundation - Southern California Advisory Board

Member, Orange County Bankruptcy Forum

Member, Los Angeles Bankruptcy Forum

Member, Orange County Bar Association

Member, American Bar Association

Member, American Bankruptcy Institute

Screening Committee, Ninth Circuit Bankruptcy Judgeships for the Central District of California, 1991-1993,  
2000

Former member, Board of Directors, California Bankruptcy Forum, 1997-2000

Former President, Orange County Bankruptcy Forum, 1997-1998

Former President, Orange County Chapter of the University of Virginia Alumni Association, 1989-1995

## Podcasts & Webinars

Foreclosure Litigation and Receivership: What it Entails and Looking Forward

09.22.2020

Cannabis Webinar Wednesday - Managing Distress in the Cannabis Industry – Meeting Challenges and Opportunities

09.09.2020

Municipal Restructuring Post COVID 19: State Bankruptcies? What's Next Webinar

04.28.2020

## Practices

Bankruptcy and Restructuring

Bankruptcy Litigation

Commercial Lending and Financial Transactions

Municipal and Public Entity Restructuring

Asset Based Lending

Commercial Mortgage Backed Securities ("CMBS")

Debtor in Possession (DIP) Financing

Equity Sponsor Finance

International Reach

China

Litigation

Distressed Acquisitions Under Bankruptcy Code

§ 363

Distressed Real Estate Loan Workouts and Enforcement

Equipment Leasing

Financial Services Litigation

Real Estate Finance

Syndicated Credit Facilities

## Industries

Artificial Intelligence

Cannabis

Energy, Infrastructure and Project Finance

Food and Beverage

Healthcare

Hospitality

Insurance

Nonprofit

REIT

Retail, Fashion & Beauty

## Education

J.D., University of Virginia School of Law, 1987

B.A., University of Virginia, 1984, *high honors*

## Admissions

California

U.S. District Courts for Central, Eastern, Northern and Southern Districts of California

U.S. Supreme Court

U.S. Court of Appeals 9th Circuit

U.S. Bankruptcy Courts for the Central, Eastern, Northern and Southern Districts of California

## Additional Office

Los Angeles