

Robin Russell



Partner

600 Travis
Suite 4200
Houston, TX 77002
P: 713.220.4086
F: 713.238.7192
rrussell@andrewskurth.com

Robin Russell co-chairs the firm's national bankruptcy practice. Her practice combines a depth of experience in bankruptcy restructuring and litigation with financial transaction work. She represents clients throughout the U.S. in in- and out-of-court corporate restructuring and reorganization as well as providing strategic advice to corporate clients and independent boards on the legal risks associated with counterparty insolvency and the structuring of corporate acquisitions to minimize economic risks in the event of a counterparty's subsequent financial distress. Clients include debtors, statutory and plan trustees, official and ad hoc creditor committees, secured lenders, DIP lenders, private equity funds, contract counterparties, landlords, trade creditors and buyers (both strategic and financial) and sellers of assets. She has been involved in over 100 bankruptcy-related adversary proceedings.

Robin has been with Andrews Kurth 24 years. In January of 2011 she was appointed as the Houston office Managing Partner. She currently serves on the firm's Policy Committee, Finance Committee, Opinions Committee, Women's Initiative Team, Associates Committee, Conflicts Committee and Professional Development Committee. In 2011 she served as the practitioner member of the Fifth Circuit's Merit Selection Panel for a United States Bankruptcy Judge for the Southern District of Texas. Prior to joining Andrews Kurth, she served as clerk to the Honorable William Kilgarlin, Justice of the Supreme Court of Texas.

REPRESENTATIVE EXPERIENCE

- *In re Omega Navigation Enterprises, Inc., et al*, No. 11-35926; U.S. Bankruptcy Court for the Southern District of Texas, co-counsel to agent bank under senior secured credit facility
- *In re Reveille Resources (Texas) Inc.*, No. 11-31317; U.S. Bankruptcy Court for the Southern District of Texas, counsel for multiple oil and gas lessors
- *In re Age Refining, Inc., Debtor*, No. 1050501; U.S. Bankruptcy Court for the Western District of Texas, counsel to NuStar, purchaser of Debtor's refinery
- *Trico Marine Services, Inc., et al*, No. 10-12653; U.S. Bankruptcy Court for the District of Delaware, counsel for the holders of 3.00% Senior Convertible Debentures
- *In re Fairpoint Communications, Inc.*, No. 0916335; U.S. Bankruptcy Court for the Southern District of New York, counsel to Official Unsecured Creditor's Committee and post confirmation litigation trust
- *In re Bigler, LP*, No. 09-38188; U.S. Bankruptcy Court for the Southern District of Texas, counsel to Purchaser of debtor's petrochemical and terminal assets

INDUSTRIES

Banking/Financial Services
Energy
Finance
Health Care
Manufacturing and Sales
Real Estate
Restaurant

PRACTICES

Banking/Finance
Litigation
Banking/Financial Services
Bankruptcy and Financial Restructuring
Corporate
Corporate Compliance, Investigations and Defense
Debt Financing
Economic Recovery and Government Opportunities
Governance
Litigation
Private Equity

EDUCATION

LLM, 1993, Banking Law Studies, Boston University School of Law
JD, 1986, *cum laude*, Baylor University School of Law, Highest Ranking Graduate, *Baylor Law Review*, Editor-in-Chief, Who's Who Among Students in American Colleges and Universities

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- *In re Lyondell Chemical Company*, No. 09-10023; U.S. Bankruptcy Court for the Southern District of New York, counsel to multiple creditors and contract counterparties; post confirmation counsel to board member of Litigation Trust
- *General Growth Properties, Inc.*, No. 09-11977 (ALG); U.S. Bankruptcy Court for the Southern District of New York, counsel to largest holder under Contingent Stock Agreement
- *In re Semcrude, L.P.*; No. 08-11525 (BLS); U.S. Bankruptcy Court for the District of Delaware, counsel to multiple preference defendants and to defendant in downstream purchaser litigation
- *In re Pilgrim's Pride Corporation, et al.*, No. 08-45664; U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee
- *In re Lehman Brothers Holdings, Inc., et al.*; No. 08-13555; U.S. Bankruptcy Court for the Southern District of New York, counsel to multiple swap counterparties
- *In re Mirant Corporation, et al.*, No. 03-46590-DML U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee/Counsel to post confirmation Litigation Trust, *MC Asset Recovery, LLC*
- *In re LOGIX Communications Enterprises, Inc.*, No. 02-32106-H5-11 U.S. Bankruptcy Court for the Southern District of Texas, counsel to the Official Unsecured Creditor's Committee
- *In re Vlastic Foods International*, No. 01-00285(MFW); U.S. Bankruptcy Court for the District of Delaware, counsel to post confirmation Litigation Trust, VFB LLC
- *In re ProMedco, et al.*, No. 00-46863-BJH-11; U.S. Bankruptcy Court for the Northern District of Texas, counsel to Debtor
- *In re Physicians Resource Group, et al.*, No. 00-30748-RCM U.S. Bankruptcy Court for the Northern District of Texas, Inc., counsel to Debtor
- *Unifi Communications Inc.*, No. 99-40302(JFQ) U.S. Bankruptcy Court for the District of Massachusetts, counsel to Official Unsecured Creditors Committee
- *In re Heartland Wireless Communications*, No. 98-2692; U.S. Bankruptcy Court for the District of Delaware, counsel to the Official Committee of Unsecured Creditors
- *In re Pinnacle Trading Card Company, et al.*, No. 98-1716 (MFW) U.S. Bankruptcy Court for the District of Delaware, counsel to DIP Lender
- *In re First City Bancorp*, No. 92 U.S. Bankruptcy Court for the Northern District of Texas, counsel to Official Unsecured Creditor's Committee
- *In re Wang Laboratories*, No. 92-18525-WCH U.S. Bankruptcy Court for the District of Massachusetts, counsel to largest landlord, Howard Hughes Properties
- *In re The One Bancorp*, No. 92- U.S. Bankruptcy Court for the District of Massachusetts counsel to Official Unsecured Creditor's Committee
- *In re Cumberland Farms*, No. 92-41305-JFQ U.S. Bankruptcy Court for the District of Massachusetts, counsel to refinery counterparty
- *In re Bank of New England Corporation*; No. 9110126 (WCH) U.S. Bankruptcy Court for the District of Massachusetts, counsel to Chapter 7 Trustee
- *In re Bank East Corporation*, No. 89-1981 U.S. Bankruptcy Court for the District of New Hampshire, counsel to largest noteholders and post confirmation reorganized debtor

BS, 1983, *magna cum laude*, International Trade, Texas Tech University, Mortar Board, Student Government Senator, Who's Who Among Students in American Colleges and Universities

ADMISSIONS

Texas 1986

Massachusetts 1992

US District Court for Southern District of Texas

US District Court for the District of Massachusetts

US District Court for the District of Wisconsin

US Courts of Appeals for the First Circuit

US Courts of Appeals for the Fifth Circuit

US Supreme Court

Robin Russell

PUBLICATIONS

- Director Exposure & Coverage (October 2011)
- Five Focus Points for Protecting Against Your Counterparty's Bankruptcy *Straightline* (May 2011)
- District Court Overturns the TOUSA Fraudulent Transfer Ruling *The Banking Law Journal* (March 2, 2011)
- Dealing with Companies in Financial Distress *Texas Lawyer's Bankruptcy Law e-Newsletter* (February 1, 2011)
- Last Rights: Liquidating a Company (co-authored) *Oxford University Press* (2006)
- "Texas Practice Guide: Creditors' Rights" (co-authored) *Thomson Reuters (updated annually since 1998)*
- "Texas Practice Guide: Financial Transactions" *Volumes 2 and 3, Thomson Reuters (updated annually since 2000)*
- "Texas Secured Lending Guide" *Texas Bankers' Association (in 14th edition, 2009)*
- "Texas Problem Loan Guide" *Texas Bankers' Association (in 2nd edition, 2009)*
- "Texas Real Estate Lending Guide" *Texas Bankers' Association (2007)*
- "Understanding The Risks of Directing an Institution in Financial Distress" (co-authored) *Chapter 5, Handbook for Directors of Financial Institutions, Edward Elgar Publishing (2008)*
- "Maximizing Estate Value Through Effective Economic Litigation Analysis" (co-authored) *Norton's 1998 Annual Survey of Bankruptcy Law at 21, The West Group (1998)*

PROFESSIONAL RECOGNITION

- *The Best Lawyers in America*, Bankruptcy and Creditor-Debtor Rights Law (2011 & 2012)
- Profiled as one of the leading Bankruptcy/Restructuring lawyers in Texas, *Chambers USA: America's Leading Lawyers for Business* (2010-2012)
- Profiled as one of "Texas' Top Rated Lawyers" by *ALM* in Bankruptcy (2012)
- "Women Worth Watching" 2012 Award Winner, *Profiles In Diversity Journal* (September/October 2011)
- Fellow, American College of Bankruptcy (elected 2011)
- In April 2011, Robin was recognized by the National Diversity Council as one of the Most Powerful and Influential Women in Texas
- June 2011 Baylor Law School Alumna of the Month
- Texas Super Lawyer in Bankruptcy and Creditor/Debtor Rights, *Texas Monthly* (2006 - 2011)
- American Law Institute (elected 2007)

BRIEFINGS, SEMINARS & SPEECHES

- "Lender Liability Suits and Workouts," State Bar of Texas 4th Annual Suing, Defending and Negotiating with Financial Institutions Course (February 10, 2012)
- "The Structure and Organization of U.S. Law Firms," Judiciary System Program, The University of Houston - Hobby Center for Public Policy (October 18, 2011)
- "Director Exposure & Coverage," Executive Women's Retreat, Strategies & Pursuits Continuing Legal Education Panels - Behind Boardroom Doors (October 15, 2011)
- "The Opportunities and Risks of Investing in Distressed Financial Institutions," (Panelist) 17th Annual Distressed Investing Conference (November 29, 2010)
- "Something in the Way They Move: Motion Practice in Bankruptcy Appeals," ABA panelist, National Conference of Bankruptcy Judges 84th Annual Conference (October 14, 2010)
- "Equity Committees," State Bar 28th Annual Advanced Business Bankruptcy Conference (June 3, 2010)
- "Managing Commercial Loan Workouts to Minimize Litigation," 36th Annual TBA Legal Conference (March 26, 2010)

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- "Fraudulent Conveyances - Lessons Learned on the Front Lines," Inns of Court, Friday Morning with Judge Bohm (February 26, 2010 panelist)
- "Strategies for Securing and Managing Equity Committees," 16th Annual Distressed Investing Conference (November 30, 2009 with Paul Silverstein)
- "Dealing with Companies in Financial Distress" Texas State Bar 8th Annual Advanced In-House Counsel Course (July 31, 2009)
- "Valuation," The University of Texas 2009 Bankruptcy Litigation: Advanced Pre-Trial Practice and Procedure Workshop (February 6, 2009)
- "The Credit Crisis: What You and Your Board Should Know" Society of Corporate Secretaries and Governance Professionals (January 21, 2009)
- "Valuation in Bankruptcy Litigation," Dallas Bar Association Bankruptcy and Commercial Law Section (September 5, 2007)
- "Last Rights: Finding Value in Liquidations," (panelist) 10th Annual Conference on Corporate Reorganizations, Chicago, Illinois (June 21, 2007)
- "How Far Can We Go With Rule 2004?" The University of Texas 2007 Bankruptcy Litigation Advanced Pre-Trial Practice and Procedure Workshop (February 2007)
- "Who Should Be Casting? Third Party Prosecution of Claims Via Assignment of Claims to Litigation Trusts, a Committee or Other Third Party," The University of Texas 2006 Bankruptcy Litigation Advanced Pre-Trial Practice and Procedure Workshop (February 3, 2006)
- "Commercial Lending – New Trends and Revisiting the Basics," Texas Association of Bank Counsel 29th Convention (October 2005)
- "Struggles Among the Bondholder Classes," (panelist) 8th Annual Conference on Corporate Reorganizations, Chicago, Illinois (June 24, 2005)
- In-house CLE presentations for clients including "Ten Tips for Structuring Transactions in Times of Financial Distress," "Do We Have a Deal? Drafting Contracts for Profit and Peace of Mind," "Understanding Common Credit Support Documents: Guaranties and Letters of Credit," "The Risk of Litigation When You Are a Director, Affiliate or Creditor of a Potentially Bankrupt Entity," "The Top 10 Risks of Doing Business With a Company in Financial Distress," and "Lawyers in the Movies: What We Can Learn from Their Ethical Dilemmas."
- Instructor, Texas Bankers' Association Professional Development Seminars: "Texas Loan Documentation"; Texas Department of Banking: "Loan Documentation," Bank Examiners Training Conference: Texas Bankers' Association Lending School: "Problem Loans and Bankruptcy"; Texas Bankers' Association: "The Bankruptcy Reform Act of 1994: What Bankers Need to Know," "The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005" (national webinar); American Institute of Banking: "Secured Loan Documentation"; East Texas Bankers' Association: "Texas Loan Documentation"

AFFILIATIONS

- Texas Wall Street Women (Advisory Board)
- Center for Women in the Law, The University of Texas School of Law (Founder)
- American Inns of Court – Arthur L. Moller/David B. Foltz, Jr. Chapter (Master of the Bench)
- Texas Bar Foundation (Life Fellow)
- The College of the State Bar of Texas
- American Bankruptcy Institute
- Baylor Law Alumni Association (Life Member) & Baylor Law Review Alumni Association (Life Member)
- Alexis de Tocqueville Society of the United Way (Member)
- The Littlefield Society of The University of Texas

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IN THE NEWS

- Robin was quoted in "TOUSA Revisited," *Turnarounds & Workouts*, June 2011.
- Robin was quoted in the *Houston Business Journal* article, "Corporate Bankruptcies on Decline in Houston," published May 6, 2011.
- Robin was quoted in "How Leibovitz Found New Partner for \$24 Million Debt," *Bloomberg News*, March 12, 2010.
- Robin was featured in the *Dow Jones DBR Small Cap Newsletter* article, "Mover of the Week: Restructuring Attorney Wields Knowledge of Industry," published March 11, 2011.

PRESS RELEASES

- Robin Russell to be Inducted as Fellow of the American College of Bankruptcy (March 7, 2012)
- DirectWomen Selects Houston Managing Partner Robin Russell for Board Institute (February 29, 2012)
- Andrews Kurth Receives Patriot Award from The Employer Support of the Guard and Reserve (February 3, 2012)
- Andrews Kurth's Robin Russell of Houston Highlighted in Diversity Journal's Women Worth Watching (September 30, 2011)
- 54 Andrews Kurth Lawyers Named Best Lawyers in America 2012 (September 22, 2011)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2011 (September 12, 2011)
- Andrews Kurth Announces 2011-2012 Policy Committee Election (August 2, 2011)
- Robin Russell Recognized by the National Diversity Council (April 19, 2011)
- Andrews Kurth Receives 2011 Community of Respect Designation (March 15, 2011)
- Andrews Kurth Names Robin Russell Managing Partner of the Houston Office (February 21, 2011)
- 33 Andrews Kurth Lawyers Named in Texas Super Lawyers 2010 (September 10, 2010)
- 49 Andrews Kurth Lawyers Named Best Lawyers in America 2011 (August 16, 2010)
- Andrews Kurth Announces 2010-2011 Policy Committee Election (August 10, 2010)
- 35 Andrews Kurth Lawyers Named in Texas Super Lawyers 2009 (September 16, 2009)
- Andrews Kurth Announces 2009-2010 Policy Committee Election (August 31, 2009)
- Thirty-Five Andrews Kurth Partners Named in Texas Super Lawyers 2008 (October 3, 2008)
- Andrews Kurth Announces 2008-2009 Policy Committee Election (August 28, 2008)
- Partner Robin Russell of Andrews Kurth Elected to American Law Institute (December 10, 2007)
- Andrews Kurth Announces 2007-2008 Policy Committee Election (August 16, 2007)
- Andrews Kurth Adds Two New Faces to 2006-2007 Policy Committee (August 31, 2006)
- Firm Obtains Net Recovery for Client of \$84 Million in Ernst & Young Litigation (January 31, 2005)