



## ERIC M. SUTTY

### PARTNER

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Eric Suttty is a skilled business attorney with experience representing companies from formation through dissolution and every step in between. He advises companies in financial restructuring, mergers and acquisitions, commercial transactions, regulatory compliance, corporate bankruptcy, creditors' rights and commercial litigation.

Eric regularly represents committees, debtors, debtors-in-possession, secured lenders, unsecured creditors, and trustees in Chapter 11 proceedings. He also represents trustees in Chapter 7 proceedings and post-confirmation estates. He is also an experienced commercial litigator at the state and federal levels in both trial and appellate courts.

Eric is a frequent writer and presenter, and is co-author of "United States Securities Laws Implications of Corporate Restructurings" in the American Bar Association's Reorganizing Failing Businesses 3<sup>rd</sup> Edition (2017).

### BACKGROUND

Prior to joining Armstrong Teasdale, Eric served as shareholder at a regional firm in Wilmington, Delaware. He has more than 20 years of experience in private practice.

### EDUCATION

- University of Baltimore School of Law (J.D., *with honors*, 2000)
  - International Property Law Journal (Case Note Editor)
  - Mark Geraci Student Tax Scholarship Award
- University of Baltimore Merrick School of Business (M.B.A., 2000)
- College of William and Mary (B.A., 1994)
  - Varsity Football
  - Lacrosse Club

### PROFESSIONAL ACTIVITIES

- American Bar Association, Business Law Section (Fellow)
- Turnaround Management Association
- American Bankruptcy Institute

### CHARITABLE AND CIVIC INVOLVEMENT

### SERVICES AND INDUSTRIES

Restructuring, Insolvency and Bankruptcy

### ADMISSIONS

Delaware

U.S. Court of Appeals, Third Circuit

U.S. District Court, District of Delaware

- Community Association (Member-at-large, Past President)
- Youth Lacrosse Coach

## ACCOLADES

- Lawdragon 500 Leading Global Bankruptcy & Restructuring Lawyers (2024)
- TMA Small Company Turnaround/Transaction of the Year Award (2022)
- Top 100 Restructuring Professionals, Global M&A Network (2022)
- Turnaround Atlas Award for the Cross Border Special Situation M&A Deal of Year (sm) (2022)
- "Information Technology Deal of the Year (Under \$250MM)," M&A Advisor (March 2018)
- "Healthcare/Life Sciences Deal of the Year (Under \$500MM)" for the sale of Orexigen Therapeutics, Inc., M&A Advisor (2019)
- "Large Company Transaction of the Year," Turnaround Management Association National Award (September 2014)
- "M&A Deal of the Year (Over \$50MM to \$75MM)" and "Agriculture Deal of the Year," The 6th Annual International M&A Advisor (2007)
- "Sec. 363 Sale of the Year (Over \$50MM to \$100MM)," 8th Annual Advisor Turnaround Award (2009)
- "Consumer Deal of the Year (Under \$50MM)," ACG and M&A Advisor Champions Award (July 2014)
- Turnaround Atlas Awards (June 2014)

## EXPERIENCE

### **Counsel to Miami-Dade County in Arena Naming Rights Dispute in FTX bankruptcy**

Served as counsel to Miami-Dade County regarding the naming rights to the arena where the NBA's Miami Heat play which resulted in the termination of the agreement between Miami-Dade County, which owns the facility, and FTX, once the third-ranked crypto exchange by volume.

### **\$50 Million Settlement for Multinational Telecom Company's Former Employees with Disabilities in Light of Bankruptcy**

Served as lead counsel for the Official Committee of Long Term Disability Participants in the bankruptcies of a multinational telecom company, in which he secured a settlement of more than \$50 million for the company's former employees with permanent disabilities.

### **Chapter 11 Bankruptcy for Public Agribusiness Company Following Chinese Reverse Merger**

Served as lead counsel for the equity committee in the Chapter 11 bankruptcy of a publicly traded agribusiness company which was the result of Chinese reverse merger that resulted in the successful sale of U.S.-based assets, assets in China, and a global settlement with the company, secured creditors, SEC, class action plaintiffs and

unsecured creditors. This resulted in a successful distribution to shareholders in an insolvent company that had little hope of recovery due to massive securities fraud in the U.S. and China.

#### **Plaintiff's Counsel on Numerous Books and Records Actions in Delaware Chancery Court**

Served as counsel to various plaintiffs in Delaware Chancery Court for numerous books and records actions that led to recoveries from foreign companies that failed to comply with reporting obligations.

#### **Lead Debtor's Counsel to Real Estate Company in Chapter 11**

Lead debtor's counsel to real estate company in Chapter 11 proceeding.

#### **Bankruptcy Counsel to Teamsters and Transportation Industry Pension Fund in Bankruptcy**

Served as lead bankruptcy counsel to teamsters and a transportation industry pension fund in bankruptcy cases.

#### **Representation in Massachusetts-Based Pizza Chain Bankruptcy**

Served as representation for landlord and committee member in the bankruptcy cases of a Massachusetts-based pizza restaurant chain.

#### **Delaware Counsel in Specialty Pharma Company Bankruptcy**

Delaware counsel to the Official Committee of Unsecured Creditors in the bankruptcy cases for a specialty pharmaceutical company.

#### **Delaware Counsel to Computer Data Storage Products Manufacturer in Bankruptcy**

Delaware counsel to the Official Committee of Unsecured Creditors in bankruptcy cases for a computer data storage products manufacturer.

## **THOUGHT LEADERSHIP**

May 1, 2023

#### **Delaware Becomes 22nd State to Legalize Recreational Marijuana Use**

December 2017

#### **Delaware's Unclaimed Property Audit and SOS VDA Program**

Credit Research Foundation (CRF)

August 2017

#### **United States Securities Laws Implications of Corporate Restructurings**

Reorganizing Failing Businesses, American Bar Association, 3rd Edition

January 2007

#### **Pension Protection Act Leaves Door Open: Bankruptcies Can Avoid Mass Pension Payouts**

The Bankruptcy Strategist