

# McElroy Deutsch

## Kristin B. Mayhew



### Partner

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### Overview

#### Curriculum Vitae

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**KRISTIN B. MAYHEW** practices primarily in the areas of corporate restructuring, creditor's rights, workouts, business law and business litigation. She has extensive experience representing creditors, secured lenders, creditors' committees, Chapter 11 trustees, purchasers of assets, commercial landlords, trade creditors, and debtors-in-possession in both reorganizations and liquidations in federal bankruptcy court and out of court workouts.

Ms. Mayhew also has a broad range of experience handling complex commercial litigation matters in both state and federal court. She represents plaintiffs and defendants in bankruptcy avoidance actions such as preferences and fraudulent transfers. Her commercial litigation practice focuses on resolving business-related disputes such as breach of contract actions, commercial foreclosures, civil theft and Uniform Commercial Code actions. Ms. Mayhew has represented parties in a wide range of industries, including, arts and entertainment, communication, construction, energy, financial services, healthcare, manufacturing, real estate and retail.

#### Cases

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- Represented successful purchaser of assets in a multi-million dollar Section 363 sale in Connecticut Bankruptcy Court.
- Co-counsel to secured creditor in Chapter 11 case of In re Curtis James Jackson (50 Cent) in Connecticut

Bankruptcy Court.

- Represent secured lender in multi-million dollar foreclosure and fraudulent transfer action against six (6) corporate borrowers in the District of New Jersey.
- Represented general contractor in a complex Chapter 11 proceeding in the Connecticut Bankruptcy Court resulting in a successful mediation involving more than a dozen parties.
- Represented lender as lead counsel in a \$15 million foreclosure action in the District of Connecticut and successfully defeated borrower's counterclaims and affirmative defenses sounding in fraud, breach of contract, Connecticut Unfair Trade Practices Act and predatory lending after 4-day bench trial.
- Representation of Chapter 11 Trustee of Connecticut nursing home.
- Representation of Chapter 11 Trustee of liquidating asbestos products company with over \$6 billion in asbestos liabilities.
- Representation of official Committee of Unsecured Creditors to an in-home healthcare provider and its seven (7) subsidiaries in Chapter 11 pending in the District of Connecticut.
- Representation of Official Committee of Unsecured Creditors to a computer software company and its eleven subsidiaries in Chapter 11 pending in the District of Connecticut.
- Representation of healthcare corporation and its fifteen subsidiaries as debtors in Chapter 11 proceeding in the District of Delaware.
- Represented unsecured creditor in contested confirmation proceeding in the bankruptcy case of MobileMedia Communications, Inc. in the District of Delaware.
- Represented numerous lenders in commercial foreclosure proceedings and out of court workouts in Connecticut.
- Representation of foreign representative in ancillary proceeding pursuant to Section 304 of the Bankruptcy Code in the Southern District of New York.
- Represented commercial lessor in connection with property lease to Chapter 11 debtor in the Allegheny Health Education & Research Foundation bankruptcy proceeding in the Western District of Pennsylvania.
- Representation of lessor of commercial property in Chapter 11 case of U.S. One Communications in District of Delaware.
- Representation of institutional lenders in numerous real estate bankruptcies.
- Represented trustees, debtors and creditors in Chapter 7, 11 and 13 in bankruptcy-related litigation involving asset sales, claims objections, preferences, fraudulent conveyances, relief from the automatic stay, executory contracts and unexpired leases.
- Represented Chapter 7 Trustee, prosecution of fraudulent transfer action arising from LBO, significant settlement for the Estate.
- Represented owner of distressed assisted living facility and sale of same.
- Successfully defended preference recipient in adversary proceedings brought in CT, DE, NH, PA, NJ, NY and CA.

## Awards

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- Sale of Talalay Global as Cross-Border Section 363 Sale of the Year, 15<sup>th</sup> Annual Turnaround Awards, 2021 Distressed Investing Summit
- Selected as one of the "500 Leading U.S. Bankruptcy and Restructuring Lawyers" (Lawdragon) (2020)

- Women in the Law – High Achiever, Connecticut Law Tribune (2010)

## **Industries**

Corporate

Financial Institutions

Real Estate

## **Practices**

Banking & Financial Services

Bankruptcy, Restructuring, Creditors' Rights

Corporate Transactions

Real Estate

## **Education**

Lafayette College (B.A.)

Pennsylvania State University - Dickinson School of Law (J.D., magna cum laude)

## **Admissions**

State of Connecticut

State of New Jersey

Commonwealth of Pennsylvania

U.S. District Court, District of Connecticut

U.S. District Court, District of New Jersey

U.S. District Court, EDPA

U.S. District Court, MDPA

U.S. Court of Appeals, 2nd Circuit

## **Memberships**

American Bankruptcy Institute

American Bar Association

President of the Turnaround Management Association, Connecticut Chapter (2009-2011)

Chairman of the Turnaround Management Association, Connecticut Chapter (2012-2014)

Member of the Board of Directors, Turnaround Management Association, Connecticut Chapter (2007-present)

Connecticut Bar Association

Connecticut Bar Association, Commercial Law & Bankruptcy Section, Executive Committee (2015-present)

Connecticut Bar Association, Commercial Law & Bankruptcy Section, Secretary and Treasurer (2018-2019)

Connecticut Bar Association Commercial Law & Bankruptcy Section, Vice Chair (2020-present)

Connecticut Bar Association Commercial Law & Bankruptcy Section Connecticut Bankruptcy Conference Planning Committee (2018-2021)

Connecticut Bar Association Commercial Law & Bankruptcy Section Bench/Bar Committee, Chair (2016-2018)

Connecticut Bar Association Commercial Law & Bankruptcy Section Public Outreach Committee (2021-2022)

Connecticut Bar Foundation, Fellow

International Women's Insolvency and Restructuring Confederation, Connecticut Chapter, Board Member (2009-present)

The Business Council of Fairfield County - Leadership Program