

MORRIS NICHOLS ARSHT & TUNNELL



MATTHEW B. HARVEY
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PRACTICE AREAS

Business Reorganization &
Restructuring
Bankruptcy/Insolvency Litigation
Business & Contract Litigation
Creditor Representation
Cross-Border Insolvency
Distressed Enterprise Representation
Financings
Mergers, Acquisitions & Divestitures

EDUCATION

J.D., 2008, Boston College Law School
Duberstein National Bankruptcy
Memorial Moot Court
2017 Bankruptcy Trial Practice
Seminar, sponsored by the U.S.
District Court for the District of
Delaware and the Delaware Chapter
of the Federal Bar Association
B.A., English Literature, magna cum
laude, Phi Beta Kappa, 2005, Florida
State University

ADMISSIONS

Delaware, 2008
Maine, 2013
U.S. District Court for the District of
Delaware, 2009
U.S. District Court for the District of
Maine, 2013
U.S. Supreme Court, 2019

Matt focuses on chapter 11 business bankruptcy, bankruptcy litigation, reorganization, and restructuring.

He represents international, national and regional clients, including debtors, official and ad hoc committees, asset purchasers, debtor-in-possession (“DIP”) lenders, secured and unsecured creditors, petitioning creditors in involuntary bankruptcy filings, and other parties in interest.

His experience includes in- and out-of-court restructuring transactions for publicly-traded and private companies, and he has represented clients in bankruptcy litigation and appeals, as well as commercial litigation. Matt also has substantial experience representing debtors, foreign representatives, and others in cross-border cases.

Matt devotes a portion of his time to pro bono matters, such as serving as an attorney guardian *ad litem* in the Family Court for the State of Delaware. He is also a volunteer attorney for the Federal Civil Panel of the U.S. District Court for the District of Delaware.

In 2017, Matt participated in the renowned National Conference of Bankruptcy Judges (NCBJ) Next Generation Program. Each year, the NCBJ NextGen program selects forty “up-and-coming” bankruptcy practitioners “who show the potential to distinguish themselves in future years as highly respected members of the bankruptcy bar.” In 2017, Matt also was one of eight attorneys selected for the Bankruptcy Trial Practice Seminar of the Delaware Chapter of the Federal Bar Association. The seminar included court practicum sessions before the judges of the Delaware Bankruptcy Court, as well as a speaker series led by the judges and nationally recognized bankruptcy professionals.

In law school, Matt participated in the Duberstein Moot Court Competition, a national bankruptcy moot court competition.

Professional Activities

- American Bankruptcy Institute
- American Bar Association
- Delaware State Bar Association
- Turnaround Management Association
- U.S. Bankruptcy Court for the District of Delaware Local Rules Committee

Community Activities

- Big Brothers Big Sisters of Delaware (Mentor, 2015)
- Delaware Family Court (Guardian ad litem)
- Federal Civil Panel, U.S. District Court for the District of Delaware (Volunteer Attorney, 2015–present)

Representative Matters

- *Scottish Holdings Inc.* – Represented reinsurance company in complex, cross-border bankruptcy recapitalization and reorganization cases, successfully addressing a host of novel issues.
- *Sancilio Pharmaceuticals Company, Inc.* – Represented prepetition lender, DIP lender, and stalking horse purchaser in chapter 11 cases of specialty pharmaceutical company.
- *RCR International Inc.* – Represented debtors and foreign representative in cross-border chapter 15 cases and asset sales.
- *Searchmetrics Inc.* – Represented litigation counterparty in successfully obtaining dismissal of chapter 11 case of Searchmetrics, Inc.
- *Hanjin Shipping Co.* – Represented Terminal Investment Limited S.à r.l. in cross-border acquisition from Hanjin Shipping Co., Ltd. of a controlling stake in Total Terminals International, owner/operator of port terminal assets on the U.S. West Coast.
- *Hercules Offshore, Inc. II* – Bankruptcy co-counsel and conflicts counsel to offshore oil drilling and jack-up rig operator in contested chapter 11 wind-down.
- *KaloBios Pharmaceuticals, Inc.* – Co-counsel to debtor in successful reorganization and recapitalization of specialty biopharmaceutical company.
- *Magnum Hunter Resources* – Represented midstream services provider in chapter 11 cases of Magnum Hunter Resources, including successfully opposing rejection of midstream services agreement.
- *Hercules Offshore, Inc.* – Bankruptcy co-counsel to offshore drilling and jack-up rig operator in prepackaged chapter 11 cases.
- *Seegrid Corporation* – Represented specialty robotics company in successfully confirming a plan of reorganization and in related litigation.
- *Rouge Steel* – Member of a team that represented the debtors and the post-confirmation liquidation trust in the chapter 11 cases of Rouge Steel, a vertically integrated U.S. steel manufacturer.
- *Javo Beverage Company, Inc.* – Represented manufacturer and distributor of specialty coffees and teas in successful chapter 11 reorganization and recapitalization.
- *Teton Energy Corp.* – Involved in successfully representing North American natural gas and oil acquisition, development and production company in chapter 11 reorganization.
- *Filene's Basement LLC (Syms Corp.)* – Member of a team that counseled the Official Committee of Syms Corp. Equity Security Holders in the chapter 11 cases of Filene's Basement, LLC and Syms Corp., regional off-price, high-end clothing retailers.
- *Manistique Papers, Inc.* – Served as a co-counsel to Manistique Papers, Inc., a premier North American producer of 100% recycled fiber specialty papers, in its chapter 11 case.
- *Garlock Sealing Technologies LLC* – Member of team that served as Delaware counsel to chapter 11 debtor, Garlock Sealing Technologies LLC, in obtaining access to judicial records in twelve asbestos-related bankruptcy cases.

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