

## Richard L. Wynne

Partner

Los Angeles

New York

### Biography

Richard Wynne has a national reputation for successfully representing company and creditor/bondholder clients in complex restructurings in a wide variety of industries. He focuses on solving clients' most challenging problems by designing and implementing negotiations and litigation strategy, and serving as lead trial counsel.

Richard's results-oriented approach was noted in *Chambers 2017*: "It was hard to see a goal line rather than a direction; being able to maneuver through that complex process was one of the skills few lawyers have, and Rick is on that short list."

Richard's recent engagements include Mattel, Inc. as the largest creditor and Creditors Committee Co-Chair in the Toys R Us Chapter 11 case; Synopsys, plan co-proponent in the ATopTech chapter 11 case; acting as lead debtor's counsel for Achaogen, Inc., All American Oil & Gas, Inc., American Apparel and Relativity Media, LLC; representing FGIC, leading creditor and Creditors' Committee Chair in ResCap; the Ad Hoc Bondholders Committee in Chemtura; the Non-Agent Secured Lenders Committee in Adelphia; and Universal and Fox in the Rhythm & Hues case.

In a decisive recent victory, federal bankruptcy Judge



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### Practices

Business Restructuring and  
Insolvency

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### Industries

Financial Institutions  
Private Capital

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### Areas of focus

Media  
Sports

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Wiles ordered Netflix to pay Relativity Media all its US\$800,000 in attorney fees. Netflix argued that "Relativity should not be allowed to recover the cost of a Cadillac (or a Ferrari) if a Honda Civic would have done the job." Judge Wiles responded: "A complicated, fast-paced 'bet the company' litigation requires counsel of higher caliber and expense than a routine case with little at stake. A party may not need a Ferrari to go to the corner grocery store, but winning a Grand Prix race is a different matter."

## Representative experience

Representing Mattel in the Toys R Us Chapter 11 case, as the largest trade creditor and creditors committee co-chair.

Representation of publicly traded biotech company Achaogen Inc. in its Chapter 11 bankruptcy filing, currently pending in Delaware Bankruptcy Court.

Representing the Official Committee of Unsecured Creditors of Wave Computing, Inc., a Silicon Valley processor tech company founded by prominent tech investor Dado Banatao, in Wave's Chapter 11 case.

Representation of All American Oil and Gas Inc. in its Chapter 11 bankruptcy filing, currently pending in the Bankruptcy Court for the Western District of Texas.

Represented Consec, Inc. in the seventh largest U.S. bankruptcy filing. Consec reported assets of over US\$60bn, and confirmed a Chapter 11 plan in only nine months.\*

Represented Synopsys as the largest creditor and plan co-proponent in the AtopTech Chapter 11 case.\*

Represented Relativity Media and its affiliates in a Chapter 11 case, confirming a plan of reorganization.\*

Represented American Apparel, Inc. as lead debtors' counsel in its 2015 Chapter 11 case.\*

## Education and admissions

### Education

J.D., Columbia Law School, 1982

B.A., Indiana University, with distinction, 1979

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### Bar admissions and qualifications

California

New York

New Jersey

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### Court admissions

U.S. Supreme Court

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Northern District of California

U.S. District Court, Southern District of California

U.S. District Court, Central District of California

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

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### Accolades

Represented Sprint Nextel Corporation with respect to the out-of-court restructuring and financing of its majority-owned subsidiary Clearwire Corp.\*

Represented Fox and Universal City Studios as rescue and DIP financiers to Rhythm & Hues, Inc., which filed for Chapter 11 in 2013, just before winning an Oscar for *Life of Pi*.\*

Represented Creditors Committee in Chapter 11 cases of land developer Bruce Elieff and six entities, successfully subordinating claim of senior secured creditor under Bankruptcy Code § 510(b).

\*Matter handled prior to joining Hogan Lovells.

Noted for his strength in consensus-building skills, trials, and valuation litigation and praised by both company and creditor clients as "fantastic" lawyer who "does exceptionally well in court," provides "exceptional guidance to clients," a "tenacious and savvy negotiator," and a "top deal-maker."

*Chambers*

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## Awards and rankings

- Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, *Best Lawyers in America*, 2009-2021
- 500 Leading Global Restructuring & Insolvency Lawyers, *Lawdragon*, 2020
- Restructuring and Insolvency, Highly Regarded - State, *IFLR1000*, 2020
- Finance: Restructuring (Including Bankruptcy), *Legal 500 US*, 2019-2020
- Bankruptcy/Restructuring (California), *Chambers USA*, 2006-2020
- Bankruptcy/Restructuring (USA), *Chambers Global*, 2006-2019

## Latest thinking and events

- Press Releases
  - Hogan Lovells guides Wave Computing Creditors in successful Chapter 11 reorganization
- Awards and Rankings
  - Global Restructuring Review recognizes Hogan Lovells as one of the top 10 global law firms for restructuring and insolvency matters

- Sponsorships and Speaking Engagements
  - Oil and Gas Restructuring and Bankruptcy: Leases, Treatment of JOAs, Lien Rights and Priorities, DIP Financing
- Webinar
  - Distressed Aviation
- Hogan Lovells Publications
  - The automotive recession won't spare chemical companies *Chemicals: Horizons*
- Hogan Lovells Publications
  - Navigating distress and insolvency in the oil and gas industry