

## Erin N. Brady

Partner

Los Angeles

### Biography

Erin Brady has nearly two decades of experience effectively resolving her clients' most complex problems with practical business solutions that don't complicate the issues.

Her practice focuses on complex, time-sensitive challenges inherent in corporate restructurings and liquidations. This successful representation of creditors' committees, individual creditors, trustees, debtors, and others has helped them realize their business goals when the stakes were high and the outcomes uncertain.

One concentration of Erin's practice is restructurings in the retail sector. She represented Mattel as the largest unsecured creditor and co-chair of the creditors' committee in the Toys 'R' Us Chapter 11 cases. She represented Fleming Companies in the sale of substantially all of its grocery store distribution business. She also represented American Apparel and its affiliates in its two recent Chapter 11 cases, the first in 2015 and the second in 2016. American Apparel operated a vertically integrated manufacturing, distribution, and retail business focused on branded fashion-basic apparel, employing thousands of employees across multiple manufacturing facilities and hundreds of retail stores in the United States and 17 other countries worldwide.



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### Languages

English

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### Practices

Business Restructuring and  
Insolvency

Crisis Leadership Team

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### Industries

Financial Institutions

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### Education and admissions

*Finance Monthly* recognized Erin as "Finance Lawyer of the Year" in early 2020. She has been recommended in *The Legal 500* rankings for corporate restructuring and she was among the *Global Restructuring Review's* "Top 40 Under 40" restructuring lawyers. *Law360* recognized her as a Rising Star in 2016, and she has been named a Super Lawyer or Rising Star by *Los Angeles Magazine* and *Super Lawyers* for nine of the past 10 years.

## Representative experience

Representing Mattel Inc. as largest unsecured creditor and co-chair of the creditors' committee in the Toys 'R' Us Chapter 11 cases.

Represented American Apparel as lead debtors' counsel in its 2015 Chapter 11 case, which resulted in a plan effectuating a debt/equity conversion in less than four months.\*

Represented American Apparel in its second Chapter 11 case in 2016, which resulted in the sale of substantially all of the company's assets to Gildan Activewear.\*

Represented Fleming Companies in the sale of substantially all of its grocery store distribution business.\*

Represented Consumer Capital Partners and related individuals in their defense against threatened claims by Avenue Capital Management regarding Quiznos' restructuring.\*

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.

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

## Education

J.D., Pepperdine University School of Law, summa cum laude, 2001

B.A., Cardinal Stritch University, summa cum laude, 1998

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## Bar admissions and qualifications

California

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## Court admissions

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, Central District of California

U.S. District Court, Northern District of California

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Represented the Post Confirmation Trust of Fleming Companies in nearly all facets of its wind-down in bankruptcy.\*

Represented Financial Guarantee Insurance Co. as one of the largest unsecured creditors of Residential Capital and its affiliated debtors appointed in the Chapter 11 cases.\*

Obtained the dismissal of 22 out of 31 claims for The Royal Bank of Scotland PLC filed by the Chapter 11 trustee in the Chapter 11 case of Thornburg Mortgage Inc.\*

Represented Sprint Nextel Corp. with respect to the out-of-court restructuring and equity raise of Clearwire Corp. and Clearwire LLC.\*

Defended Epsilon/Westford Funds and its Cayman Islands and British Virgin Islands entities against claims brought by the Chapter 11 trustee for Petters Co. Inc. and its affiliates.\*

Successfully represented the Los Angeles Metropolitan Transportation Authority in resolving a seven-year battle over its use of eminent domain powers.\*

Successfully represented an ad hoc committee of bondholders in the Chemtura bankruptcy case.\*

Represented Berggruen Holdings as the debtor-in-possession lender and as a plan proponent in the Cascade Grain Chapter 11 case.\*

Represented approximately 400 lending institutions (non-agent lenders) in the Adelphia Communications bankruptcy case.\*

\*Matter handled prior to joining Hogan Lovells.

## Awards and rankings

- Finance Lawyer of the Year (USA), *Finance Monthly* 2020, 2020
- Restructuring and Insolvency, Notable Practitioner,

*IFLR1000*, 2018

- Bankruptcy, *Southern California Super Lawyers*, 2008, 2010-2017
- Finance: Restructuring (Including Bankruptcy): Corporate, *Legal 500 US*, 2016, 2019
- Top 10 Rising Stars Under 40, Bankruptcy, *Law360*, 2016
- 40 Under 40, *Global Restructuring Review*, 2016

## Latest thinking and events

- Hogan Lovells Publications
  - Five things retailers should consider in the COVID-19 era
- Webinar
  - COVID-19 Webinar: Strategies for the retail sector in a time of crisis
- Webinar
  - Distress and insolvency in the oil and gas industry
- Press Releases
  - Hogan Lovells Advises Achaogen in Bankruptcy Sale
- Events
  - Tech - Exposed in a downturn
- Hogan Lovells Events
  - Tech: Who wins, who loses?