



# Garrett S. Ledgerwood

 Partner

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**“I aim to help clients achieve cost-effective, business-minded solutions. Toward that end, I provide practical advice that balances against the transaction size and amounts owing. Because of my business experience, I am often thought of by my clients as a member of the team.”**

Garrett Ledgerwood focuses his practice on bankruptcy and creditors’ rights. His work includes representing clients in all aspects of the restructuring of financially distressed businesses and in senior secured, ABL, and mezzanine financings. Garrett counsels lenders and creditors in bankruptcy, collection actions, loan modifications and workouts, nondischargeability proceedings, foreclosures, and receiverships, as well as borrowers in a variety of financing transactions. He also represents creditor committees, lenders, and third-party purchasers in chapter 11 cases, including in connection with bankruptcy sales, debtor-in-possession and exit financing, workouts, and plan negotiation and formulation.

Before joining Miller Nash, Garrett practiced at a boutique law firm in Eugene, Oregon, specializing in business law. He also gained extensive experience in representing multinational commercial banks, private equity lenders, and hedge funds in insolvency and commercial lending transactions during his time at a large international law firm on Wall Street.

## Professional Activities

- Oregon State Bar
  - Debtor-Creditor Committee, member
- Lane County Bar Association
  - Debtor-Creditor Committee, chair, 2015-2019

## Civic Activities

- Turnaround Management Association, Northwest Chapter
  - board member, 2020-present
- Emerald Valley Boys & Girls Club, past board member

## Education

J.D., Washington and Lee University School of Law, *summa cum laude*, 2009

- Editor-in-Chief, *Washington and Lee Law Review*
- Order of the Coif
- American Bankruptcy Institute Medal of Excellence in Bankruptcy

B.B.A., Texas Tech University, *cum laude*, economics, 2001

## Bar Admissions

Washington, 2015  
Oregon, 2014  
New York, 2010  
Ohio (inactive)

## Representative Experience

### Bankruptcy & Creditors' Rights

- Represented lender holding more than \$5 million in secured debt in connection with collection action and chapter 11 bankruptcy of Dinkel Family Farms (Bankr. D. Or. 2020).
- Represented out-of-state secured lender with largest claim in the chapter 12 case of Alley Farms (Bankr. D. Or. 2020).
- Represented national secured lender in connection with chapter 15 case of Portland Winterhawks (Bankr. D. Or. 2020).
- Represented regional lender as largest secured creditor in chapter 12 case of Phase 3 Farms (Bankr. D. Or. 2020).
- Represented East Coast-based factoring lender in chapter 11 case of Fizz & Bubble (Bankr. D. Or. 2020).
- Represented largest unsecured creditor and landlord in chapter 11 case of US Outdoor (Bankr. D. Or. 2020).
- Represented Portland-based receiver in connection with the state-court receivership for In re Coffee Solutions (Mult. Co. Cir. Ct. 2020).
- Successfully defended national lender in equitable subordination adversary proceeding, obtaining dismissal of case (Bankr. D. Or. 2020).
- Represented Oregon-based manufacturer in connection with \$15 million asset-based lending facility.
- Represented Oregon-based steel producer in connection with \$10 million asset-based lending facility.
- Represented Oregon-based manufacturer in connection with \$20 million mezzanine financing.
- Successful defense of Oregon-based manufacturer in connection with multimillion-dollar veil-piercing, alter-ego suit brought by bankruptcy trustee (Bankr. W.D. La., Case No. 17AP-01004).
- Represented Oregon commercial bank in connection with workout of multimillion-dollar credit facility.
- Represented Washington-based financial institution in connection with multimillion-dollar collection action against distressed property developer (Bankr. D. Or., Case No. 10-60244).
- Represented distressed debt acquisition fund in connection with receivership of Washington-based casino (Cowlitz Ct. Sup. Ct., Case No. 17-2-00039-7).
- Represented ad hoc committee of senior secured lenders holding more than \$100 million in secured debt in out-of-court and in-court restructuring of Penson Worldwide, Inc. (Bankr. D. Del., Case No. 13-10061).
- Represented ad hoc committee of secured lenders holding more than \$100 million in secured debt in out-of-court restructuring of privately held defense contractor, including representation in connection with debt-for-equity swap, exempt securities issuance, and new debt financing.
- Represented prospective stalking-horse bidder in In re LightSquared, Inc. (Bankr. S.D.N.Y., Case No. 13-12080), in connection with \$1 billion bid for the acquisition of substantially all of LightSquared's assets.
- Represented bidder in In re Revel Casino (Bankr. D.N.J., Case No. 14-22654) in connection with bid for substantially all of the assets of the Revel Atlantic City Casino.
- Represented certain equity holders of Tribune Company in multibillion-dollar fraudulent conveyance action commenced by certain of Tribune's pre-bankruptcy noteholders and litigation trustee.

### Publications

- "Washington's New Statutory Wage Lien: How Wage Liens Impact Secured Creditors' Rights," Miller Nash, *Bank Law Monitor*, coauthor (Nov. 2021)
- "Governor Brown Signs HB 2009 into Law," Miller Nash, *Bank Law Monitor* (June 2021)
- "HB 2009 Moves to Senate Floor," Miller Nash Graham & Dunn, *Bank Law Monitor* (May 2021)
- "HB 2009 Moves to Floor Vote," Miller Nash Graham & Dunn, *Bank Law Monitor* (Mar. 2021)
- "Oregon Legislature Introduces New Foreclosure Moratorium Bill (HB 2009)," Miller Nash Graham & Dunn, *Bank Law Monitor* (Mar. 2021)

- “Oregon Governor Issues Executive Order Related to Foreclosure Moratorium,” *Miller Nash Graham & Dunn, Bank Law Monitor* (Dec. 2020)
- “1129(e) The Pernicious Little Provision in Small Business Cases,” *American Bankruptcy Institute Journal* (June 2013)
- “Virtually Liable,” *66 Washington and Lee Law Review* 811 (2009)

### Presentations

- “Practical Provisional Process and Remedies,” Multnomah Bar Association, co-presenter (May 2021)
- “Preparing for the Worst: Best Practices for Documenting, Servicing and Workouts to Protect Lenders in Default Situations,” Risk Management Association of Lane County (Dec. 2019)
- “Practical Provisional Process and Remedies,” Oregon State Bar, Debtor-Creditor Section CLE and Annual Meeting (Sept. 2019)
- “Tenants in Bankruptcy: A Primer for Landlords,” Oregon Rental Housing Association (Nov. 2018)

### Recognition & Honors

- Selected for inclusion in *The Best Lawyers in America*<sup>®</sup>
  - Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2022
- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2016-2020
- Selected as one of Eugene, Oregon’s, 20 Under 40 Rising Business Stars, 2018

### Personal Activities

Garrett enjoys working in his woodshop and singing with local performing arts groups.