

David M. Fournier

Partner

Wilmington

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An accomplished bankruptcy attorney, David has more than 35 years of experience representing clients in complex bankruptcy proceedings. His clients appreciate his reasoned and thorough approach.

OVERVIEW

David represents various interests in complex bankruptcy proceedings in the District of Delaware and other jurisdictions. His clients include corporate debtors, secured and unsecured creditors, official creditors' committees, foreign representatives, and others. David also has extensive experience as a mediator in bankruptcy litigation.

A frequent lecturer on bankruptcy topics, David is active in several professional organizations, including the Business Law Section of the American Bar Association and INSOL International, a leading international organization of bankruptcy professionals. David currently serves as co-chair of the Secured Creditors Subcommittee of the ABA BLS Business Bankruptcy Committee, and a member of the Group of Thirty-Six Committee of INSOL International.

David has been recognized as one of the leading bankruptcy practitioners in Delaware in *Chambers USA America's Leading Lawyers for Business*, *The Best Lawyers in America*, *Legal Media Group & Expert Guides*, the *PLC Cross-Border Restructuring and Insolvency Handbook*, and *The International Who's Who of Insolvency & Restructuring Lawyers*.

REPRESENTATIVE MATTERS

- Advised client as debtor co-counsel in Gibson Brands, Inc.
- Advised client as debtor counsel in General Wireless Operations, Inc. (d/b/a RadioShack).
- Represented client as debtor co-counsel in Radio Shack Corporation.
- Advised client as debtor co-counsel in Rand Logistics, Inc.
- Advised client as debtor counsel in Capital Infrastructure LLC (d/b/a Connexion Technologies).
- Represented client as debtor co-counsel in Monitor Company Group, L.P.
- Served as debtor counsel in PPI Holdings, Inc.
- Advised client as debtor counsel in Nassau Broadcasting Partners, L.P.

- Represented client as debtor co-counsel in Nutritional Sourcing Corporation.
- Advised client as debtor co-counsel in American Credit Counseling Services, Inc.
- Served as debtor co-counsel in Bob's Stores, Inc.
- Represented client as debtor counsel in Venture Stores, Inc.
- Advised client as debtor co-counsel in Arthur D. Little, Inc.
- Advised client as debtor counsel in iBEAM Broadcasting Co.
- Represented client as debtor counsel in Broadband Office, Inc.
- Advised client as debtor co-counsel in General Cinemas, Inc.
- Advised client as debtor counsel in Power Operating Company.
- Advised client as debtor counsel in Trimble Western Furnishings, Inc.
- Represented client as debtor counsel in Regal Communications Corporation.
- Served as foreign representative's counsel in Talon Systems, Inc. (Chapter 15).
- Served as foreign representative's counsel in Reutax AG (Chapter 15).
- Served as counsel to Ad Hoc Committee of Noteholders in Sifco S.A. (Chapter 15).
- Advised as committee counsel in Scottish Holdings, Inc.
- Advised as committee counsel in Delivery Agent, Inc.
- Served as committee co-counsel in Overseas Shipholding Group, Inc.
- Served as committee co-counsel in Washington Mutual, Inc.
- Advised as committee counsel in Solar Trust of America, LLC.
- Served as committee counsel in Syntax-Brilliant Corporation.
- Advised as committee counsel in American LaFrance LLC.
- Served as committee co-counsel in Fleming Companies, Inc.
- Advised as committee counsel in SLI Lighting, Inc.
- Served as committee counsel in Neoplan USA Corporation.
- Advised as committee co-counsel in Exide Technologies, Inc.
- Served as committee co-counsel in Carmike Cinemas, Inc.
- Advised as committee co-counsel in Imperial Sugar, Inc.
- Served as committee co-counsel in First Merchants Acceptance Corp.
- Served as committee counsel in Silo, Inc.
- Advised as committee counsel in The Grand Union Company.
- Served as committee counsel in Peter J. Schmitt Co., Inc.
- Advised as committee counsel in Harvard Industries, Inc.
- Advised as committee co-counsel in the Motels of America.
- Served as special counsel to the Trustee in MF Global Holdings Ltd.
- Represented pre-petition secured lender and DIP lender in Complete Retreats, LLC.
- Represented pre-petition secured lender in Datum Technologies, LLC.
- Represent equipment leasing and financing companies in numerous Chapter 11 cases.
- Represent numerous landlords in Chapter 11 retail cases.
- Represent purchasers of assets in numerous Chapter 11 cases.

AWARDS

- *Super Lawyers®*: Delaware (2014-2021)
- Ranked in “Band One” for bankruptcy and reorganization matters by *Chambers USA: America’s Leading Lawyers for Business* (2016-2025)
- *Best Lawyers in America®*: Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2013-2026), Litigation – Bankruptcy (2014-2026)
- Listed in *Legal Media Group & Export Guides* for bankruptcy and restructuring matters
- Listed in *PLC Cross-Border Restructuring and Insolvency Handbook*

TOP AREAS OF FOCUS

- Bankruptcy + Restructuring
- Debtor + Committee Representations
- Distressed Mergers + Acquisitions
- Finance + Banking
- Retail
- Trade Creditors Representation

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PROFESSIONAL/COMMUNITY INVOLVEMENT

- American Bar Association Business Law Section, Business Bankruptcy Committee, co-chair of Executory Contracts Subcommittee; former co-chair of Chapter 11 Subcommittee and International Subcommittee
- Member, INSOL International, former chair of USA/Canada Membership Committee
- Member, American Bankruptcy Institute

EDUCATION AND CERTIFICATIONS

EDUCATION

- Villanova University Charles Widger School of Law, J.D., 1989
- The Pennsylvania State University, B.A., 1985

BAR ADMISSIONS

- Pennsylvania
- Delaware

COURT ADMISSIONS

- U.S. District Court, District of Delaware