

## Matthew R. Brooks

Partner

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Matt represents clients in every aspect of distressed situations. With experience representing all sides of a transaction or dispute, clients consistently return to Matt for his practical, business-oriented advice to help them overcome challenges and obtain optimal results.

### OVERVIEW

Matt advises debtors, creditors, investors, companies, and boards of directors as they navigate distressed situations. With a proven track record as a tenacious advocate, his clients include bank and non-bank lenders, private equity, CMBS special servicers, insurance companies, family offices, borrowers, and investors. Matt's practice spans a range of industries, including real estate, cryptocurrency, energy, health care, construction, financial services, aviation, hospitality, insurance, transportation, and media.

Matt helps lender and servicer clients throughout the U.S. collect on defaulted loans, whether through foreclosure, receivership, bankruptcy, or a loan workout. He also represents private equity and other strategic buyers in distressed acquisitions and dispositions, with many of his engagements receiving recognition from leading trade groups and publications. Additionally, Matt represents companies and boards of directors restructure their liabilities and in connection with liability management opportunities. He has also litigated insolvency-related cases in state and federal courts throughout the U.S., including the defense of complex fraudulent conveyance, preference, and lender liability claims.

Matt is the former chair of the bankruptcy section of the Georgia State Bar Association and a frequent author and speaker on M&A and insolvency-related issues. He is well connected within the restructuring community, serving on the events committee for the New York City chapter of the Turnaround Management Association and the Southeast Advisory Committee of the American Bankruptcy Institute.

### REPRESENTATIVE MATTERS

#### Secured Creditors

- Represents some of the largest U.S. private credit funds in workouts and default litigation involving distressed loans in the real estate, fintech, manufacturing, media, and energy sectors.
- Represents many CMBS special servicers in the enforcement of remedies, including receiverships, foreclosures, and guarantor litigation.

- Counsel to the largest international airline in bankruptcy proceedings and litigation involving credit workouts and enforcement, including Chapter 11 proceedings filed by GOL Linhas Aereas Inteligentes S.A., Chapter 11 (SDNY), LATAM Airlines Group SA (SDNY), Virgin Australia Holdings Limited (Chapter 15, SDNY), and Western Global Airlines, Inc. (D. Del).
- Counsel to two secured HUD lenders in the Chapter 11 bankruptcy of Peterson Healthcare (D.Del).
- Counsel to the lead lender and collateral agent in restructuring a high-end senior housing complex located in Atlanta, GA.
- Counsel to a senior secured lender in restructuring a large-scale film and music studio, resulting in successfully defeating a cram-down Chapter 11 plan and obtaining a 95% payout, along with default interest and attorney's fees.
- Counsel to a U.S. private credit fund in the foreclosure of a renowned motion picture starring Robert Di Niro, Tommy Lee Jones, and Morgan Freeman.
- Counsel to a senior lender in Chapter 11 restructurings in the retail and jewelry businesses.

## **M&A and Corporate Engagements**

Counsel to Priority Technology Holdings (NASDAQ: PRTN) in the 363 acquisition of PlastiQ, Inc. (D. Del). This transaction was awarded the 2024 Financials Deal of the Year by M&A Advisor.

Counsel to Franchise Group, Inc. in the 363 acquisition of furniture and mattress retailer Furniture Factor Outlet Home (D. Del).

Counsel to multiple solar, wind, and hydro power operators develop and execute reorganization strategies that included complex debtor restructurings and negotiations with local, state, and federal regulatory authorities.

Counsel to several large U.S. utility providers in restructuring senior credit facilities and addressing potential environmental and tort liabilities.

Represented a public company that specializes in traveling exhibitions, including the Titanic artifacts, in its Chapter 11 bankruptcy proceeding, which received a Turnaround Atlas Award for Cross Border Special Situation M&A Deal of the Year.

Special counsel to Taylor, Bean & Whitaker Mortgage Corp. in Chapter 11 liquidation involving more than 4,000 creditors and claims in excess of \$9 billion (M.D. Fla.).

Counsel to a nonprofit hospital in out-of-court restructuring of senior debt and real estate portfolio.

## **Trade Creditors, Landlords, and Litigation Matters**

- Represented the largest utility provider in the Core Scientific Chapter 11 bankruptcy to obtain a fully recovery on its claim.
- General outside bankruptcy counsel to one of the largest health insurance and managed care providers in the U.S.
- Counsel to multiple consumer-facing companies in the development of bankruptcy-related enforcement protocols and form documents.
- National bankruptcy and litigation counsel to multiple REITs.

## **AWARDS**

- Global M&A Network, "Americas Rising Star" (2022); Top 100 Restructuring Professionals (2024)
- *Chambers USA*: Bankruptcy/Restructuring, Georgia (2025)
- *Best Lawyers in America*®: Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2023-2026), Litigation – Bankruptcy (2024-2026)
- *Best Lawyers in America*®: *Ones to Watch*: Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2021)

- *Georgia Super Lawyers* “Rising Star” (2016-2018)
- Named to *Georgia Trend* magazine’s Legal Elite in Bankruptcy Law (2015-2018)
- “Top Lawyer in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law,” *GaBiz Magazine* (2026)

## TOP AREAS OF FOCUS

- Bankruptcy + Restructuring
- Commercial Mortgage-Backed Securities Special Servicing
- Distressed Mergers + Acquisitions
- Financial Services
- Insolvency Litigation
- Private Equity
- Secured Lender Representation

## ALL AREAS OF FOCUS

- Auto Finance
- Bankruptcy + Restructuring
- Commercial Mortgage-Backed Securities Special Servicing
- Corporate Trust + Agency Services
- Debtor + Committee Representations
- Distressed Mergers + Acquisitions
- Financial Services
- Financial Services Litigation
- Insolvency Litigation
- Litigation + Trial
- Oil + Gas
- Private Equity
- Real Estate Capital Markets (REITs)
- Secured Lender Representation
- Trade Creditors Representation

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Events Committee, Turnaround Management Association, New York City Chapter
- Past chair, Bankruptcy Section, Georgia State Bar
- Atlanta Leadership Committee member, Lambda Legal
- Co-chair, Troutman Pepper Locke Pride (LGBTQIA+ affinity group)
- Steering committee member, “Roadways to the Federal Bench,” Bankruptcy System National Diversity Event, October 24, 2019

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- Mercer University School of Law, J.D., *cum laude*, 2008
- Appalachian State University, B.S., *magna cum laude*, 2004

## BAR ADMISSIONS

- Georgia
- New York

## COURT ADMISSIONS

- U.S. Bankruptcy Court, Northern District of Georgia
- U.S. Bankruptcy Court, Middle District of Georgia
- U.S. Bankruptcy Court, Southern District of Georgia
- U.S. District Court, Northern District of Georgia
- U.S. District Court, Middle District of Georgia
- U.S. District Court, Southern District of Georgia
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York

## SPEAKING ENGAGEMENTS

- Speaker, “Retail Bankruptcy,” American Bankruptcy Institution, September 26, 2025.
- Co-Presenter, “Distressed M&A Investing,” Stafford, April 2, 2025.
- Panelist, “Top Considerations for a Board Before and During a Bankruptcy: What Investors Need to Know About What Happens in the Boardroom,” Distressed Investing Conference, December 4, 2024.
- Panelist, “Out of Court and Other Alternatives to Bankruptcy,” Distressed Investing Conference, November 28, 2022.
- Co-presenter, “Workouts and Current Restructuring Trends,” State Bar of Georgia Secured Lending Conference, March 2, 2022.
- Speaker, “Perspectives on Creating an Inclusive Environment for LGBTQ Attorneys,” Pride at Troutman Pepper Panel, June 2020.
- Speaker, “Skills Presentation: Evidentiary Focus on Deposition, Cross-Examination & Testimony Prep,” American Bankruptcy Institute Southeast Conference, July 2019.
- Speaker, “Equity Interests – Key Considerations When Enforcing Remedies State Bar of Georgia,” Secured Lending Section, February 2018.
- Speaker, “Ethical Obligations of Debtor’s Counsel to Creditors, Trustee, and Client,” Ted Talk presented at annual American Bankruptcy Institute Southeast Conference, July 2017.
- Speaker, “Preventative Medicine: Focusing on Remedies Prior to Default,” State Bar of Georgia, Secured Lending Section, February 2015.
- Speaker, “Enforcement of Remedies and Judgments – Use of 363 Sales, Foreclosures and Judicial Attachment,” State Bar of Georgia, Bankruptcy Section, October 2014.

## PUBLICATIONS

- Co-author, “Winning the Game of Distressed M&A: The Playbook,” *Troutman Pepper*, November 29, 2022.
- Co-author, “Georgia Bankruptcy Alternatives,” Publication Forthcoming *Thomson Reuters*, September 2021.
- Co-author, “The 2015 Revisions to the Federal Rules of Civil Procedure: Impact on Bankruptcy Matters,” *The Review of Banking & Financial Services*, September 2017.
- “Community Bank Fights Involuntary Bankruptcy Filed by TruPS Owners,” *American Bankruptcy Institute Journal*, July 2015.
- “Lenders Rejoice: Foreclosure Confirmation Statute May be Waived by Guarantor,” 19 *Ga.B.J.* 10, 2014.

## **MEDIA COMMENTARY**

- Profiled and quoted, “Celebrating Pride Month: Matthew Brooks, Partner, Troutman Pepper (GA),” Turnaround Management Association, June 2022.