



Joseph M. Barry

PARTNER

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When a bankruptcy is especially difficult — when the level of distress is especially severe or the acrimony particularly toxic — Joe Barry brings a calm affability to the proceedings. Known for his creative approaches to the most challenging restructuring problems, out-of-state lawyers seek Joe's counsel when more traditional solutions are deemed inadequate.

As Delaware co-counsel, Joe represents debtors and creditors in both in-court and out-of court restructurings. His non-Delaware colleagues consider him an integral part of their legal and financial team, relying on him for substantive input and canny analysis at every stage in the process. He helps them understand how the courts are likely to rule on substantive issues of Delaware law, and he participates fully in their strategic decisions and overall legal thinking.

Joe relishes the aspects of a case that bring people together in the same room, whether with colleagues, clients, adversaries, or officials. He feels that the personal contact is conducive to finding the optimal solution — ultimately a win-win for all parties.

FOCUS:

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All aspects of in-court and out-of-court corporate restructuring processes, including debtors, official committees, foreign representatives, lenders, secured and unsecured creditors, ad hoc groups and purchasers

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Industries include energy, retail, health care, banking, telecommunications, real estate, insurance, hospitality, aviation, textile and manufacturing industries

APPOINTMENTS:

- Appointed by the United States Bankruptcy Court for the District of Delaware to its panel of mediators

WRITING:

- Articles on corporate restructuring and insolvency topics have appeared in, among other publications, *The American Bankruptcy Institute Journal* and *The Association of Insolvency Restructuring Advisors Journal*

Practices

- Debtor/Corporate Restructuring
- Committee Practice
- Portfolio Company Specialty Group

Education

- Syracuse University College of Law (J.D., *cum laude*)
- St. John Fisher College (B.A.)

Bar Admissions

- Delaware
- New York

Court Admissions

- U.S. Bankruptcy Court for the District of Delaware
- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the Southern District of New York
- U.S. Bankruptcy Court for the Northern District of New York
- U.S. Supreme Court

Distinctions

- Recognized by *The Best Lawyers in America*® for his “high caliber of work in the practice area[s] of Bankruptcy”
- Named in 2011 as an “Outstanding Young Restructuring Lawyer” by *Turnaround & Workouts* – the first Delaware attorney to receive that distinction, and one of only twelve restructuring lawyers named nationwide
- Named “Forty Under Forty Recognition Award” finalist presented by *The M&A Advisor* to “recognize the emerging industry leaders” who were “chosen for their accomplishments and expertise”
- Named a “Top Bankruptcy Lawyer” by *The Deal*
- Recognized — with the restructuring team for Altegrity, Inc. and its affiliates — as participant in 2016 Pre-Packaged Restructuring of the Year by the *Turnaround Atlas Awards*
- In 2015, represented North American Bancard as the purchaser of substantially all of the debtor’s assets in *In re: Phoenix Payment Systems, Inc.* which was named by *The M&A Advisor* as the Distressed M&A Deal of the Year and was named the Special Situation M&A Deal of the Year by the *Turnaround Atlas Awards*
- In 2014, led a restructuring team lead that was awarded The Turnaround Atlas Award by *The Global M&A Network* in the Real Estate & Services category for the successful restructuring of The PMI Group

- Key member of the Eastman Kodak restructuring team that was honored by *The Turnaround Management Association* as the 2014 Mega-Company Turnaround of the Year
- Lead partner in the *In re Trade Secret, Inc.* chapter 11 bankruptcy case, which was awarded *The M&A Advisor's* Turnaround of the Year Award in the consumer and retail products sector

Memberships and Affiliations

- Delaware State Bar Association, Bankruptcy Law Section
- American Bankruptcy Institute
- Bar Association of the Third Federal Circuit
- Board of Directors, Justinian Order, St. John Fisher College
- American Bar Association, Business Law Section, Litigation Section
- INSOL International
- Federal Bar Association
- Turnaround Management Association

Clerkships

- Honorable Stephen D. Gerling, (Ret.) Chief Judge, U.S. Bankruptcy Court for the Northern District of New York

Representative Matters

Joe Barry's recent engagements include co- or lead restructuring counsel in the chapter 11 bankruptcy cases of:

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Maxus Energy, Inc.

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Altegrity, Inc.

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Glacial Energy, Inc.

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Beverly Hills Bancorp, Inc.

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Rotech Healthcare, Inc.

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Eastman Kodak Company

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The PMI Group, Inc.

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Cordillera Golf Club LLC

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Pure Beauty Salons & Boutiques, Inc.

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Eclipse Aviation, Inc.

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Basin Water, Inc.

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DBSI, Inc.

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Buffets, Inc

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Trade Secret Stores, Inc.

Publications

December 11, 2011

Client Alert: Friedman's, Inc. v. Roth Staffing Companies, L.P.

September 23, 2011

Client Alert: YCST Bankruptcy Trend Watch

September 23, 2011

YCST Bankruptcy Trend Watch 2011

September 21, 2011

Third Circuit Client Alert: Official Committee of Unsecured Creditors v. Baldwin, et al. (In re Lemington Home for the Aged)

July 15, 2011

Client Alert: D'Amico v. Tweeter Opco, LLC (In re Tweeter Opco, LLC)

December 9, 2010

Client Alert: In re Givens

February 1, 2008

Travelers Deconstructed: How the Supreme Court's Ruling in Travelers Could Complicate the Claims Process in Large Bankruptcy Cases

AIRA Journal, Vol. 21, No. 6

February 1, 2008

Travelers Deconstructed: How the Supreme Court's Ruling in Travelers Could Complicate the Claims Process in Large Bankruptcy Cases

AIRA JOURNAL, Vol. 21, No. 6 (February/March 2008)

June 1, 2007

Ex-Eastern Pilots Grounded: Third Circuit Sheds Light on Arbitration of Labor Disputes

Delaware Employment Law Letter, Vol. 12, No. 6

Experience

Links of London, Inc.

Zohar III, Corp

PES Holdings, LLC

Xceligent, Inc.

GulfMark

Maxus

Maxus

Draw Another Circle

Pacific Sunwear

Pacific Sunwear

Metinvest

American Apparel

Biolitec

NewSat

Karmaloop

Altegrity, Inc.

Altegrity, Inc.

Joan Fabrics Corporation

Young Conaway acted as counsel for Rutherford County, NC in the chapter 7 proceeding of Joan Fabrics Corporation pending in the United States Bankruptcy Court for the District of Delaware.

Raser Technologies, Inc.

Young Conaway served as co-counsel for Tenor Opportunity Master Fund, Ltd., Aria Opportunity Fund, Ltd., Parsoon Opportunity Fund, Ltd. and Linden Capital L.P., parties in interest in the chapter 11 proceedings of Raser Technologies, Inc., Pending before the United States Bankruptcy Court for the District of Delaware.

First Place Financial Corp

Beverly Hills Bancorp Inc.

Beverly Hills Bancorp Inc.

MPM Silicones, LLC

Gridway Energy Holdings, Inc.

Gridway Energy Holdings, Inc.

EP Liquidation, LLC

AFA Investment Inc.

Young Conway served as co-counsel to American Capital, Ltd., second lien lender to AFA Investments Inc. and its affiliated debtors in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware.

Rotech Healthcare Inc.

Young Conaway acted as co-counsel to rotech Healthcare inc. and its affiliated debtors in their chapter 11 proceedings in the United States Bankruptcy Court for the District of Delaware. The Debtors are one of the largest providers of home medical equipment and related products and services in the United States, with a comprehensive offering of oxygen and other respiratory therapy equipment and services.

Townsend, Inc.

Young Conway served as counsel to FGDI, a division of Agrex Inc., and Naylor Ag Inc., creditors in the chapter 11 proceeding of Townsend, Inc., pending before the United States Bankruptcy Court for the District of Delaware.

In re HomeBanc Mortgage Corporation

Young Conaway served as co-counsel with Alston & Bird LLP to Homebanc Mortgage Corporation and certain of its affiliates in their chapter 11 proceedings. Prior to the petition date, the Debtors originated, serviced and sold mortgages. With the assistance of Young Conaway, the Debtors successfully wound down their operations.

Ameripol Synpol Corporation

Young Conaway acted as co-counsel to Ameripol Synpol Corporation, a Texas based company that was one of the nation's largest manufacturers of emulsion styrene butadiene rubber, a synthetic rubber used primarily in the production of new and replacement tires.

In re LandSource Communities Development LLC

Majestic Star Casino

Young Conaway served as co-counsel for the Tax Assessor for Lake County, Indiana, creditor of Majestic Star Casino and certain of its affiliates, chapter 11 debtors before the United States Bankruptcy Court for the District of Delaware.

Eastman Kodak Company

Young Conaway serves as co-counsel, with Sullivan & Cromwell LLP, to Eastman Kodak Company and certain of its affiliates in their chapter 11 proceeding pending before the United States Bankruptcy Court for the Southern District of New York. The Debtors comprise a materials science company with a long history of innovation and successful commercialization of proprietary technologies, and were previously the world's leading producer of film and cameras.

PMI Group, Inc.

Young Conaway acts as lead counsel to The PMI Group, Inc. in its chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. The Debtor is an insurance holding company who, through its principal regulated subsidiary and its affiliated companies provides residential mortgage insurance in the United States. The Debtor is in the process of working towards a joint plan of reorganization.

Pure Beauty Salons & Boutiques, Inc.

Young Conaway acted as lead counsel in the chapter 11 case of Pure Beauty Salons & Boutiques, Inc. and its affiliate in the United States Bankruptcy Court for the District of Delaware. The Debtors operated stores that emphasize the sale of hair care and beauty products in a retail setting as well as providing on-site hair salon services. With Young Conaway's assistance, the Debtors successfully sold substantially all of their assets.

Hussey Copper Corp.

Young Conaway acted as co-counsel to Revere Copper Products, Inc. in the chapter 11 proceedings of Hussey Copper Corporation and certain of its affiliates in the United States Bankruptcy Court for the District of Delaware.

Penn Traffic Company, The

Young Conaway served as co-counsel for Top Markets, LLC, purchaser of substantially all of the assets of The Penn Traffic Company, debtor in a chapter 11 proceeding before the United States Bankruptcy Court for the District of Delaware

DHP Holdings II Corporation

young Conway served as co-counsel to SIT Controls USA, Inc., defendant in an adversary proceeding commenced by the Chapter 7 Trustee of DHP Holdings LL corporation in the Unites States Bankruptcy Court for the District of Delaware

Magic Brands, LLC

Young Conaway acted as co-counsel for Fidelity Newport Holdings, LLC and American Blue Ribbon Holdings, LLC, in a potential acquisition of Magic Brands, LLC and its affiliates, chapter 11 debtors before the United States Bankruptcy Court for the District of Delaware

Movie Gallery, Inc.

Young Conaway acted as counsel for Chestnut Hill Plaza Holdings Corporation in the chapter 11 proceeding of Movie Gallery, Inc. pending in the United States Bankruptcy Court for the Eastern District of Virginia.

Freedom Communications Holdings, Inc.

Young Conaway served as co-counsel, with Latham & Watkins LLP, to Freedom Communications Holdings, Inc. and forty-nine of its affiliates in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. Prior to the petition date, the Debtors operated a media business in two primary industry segments:

newspaper publishing and broadcast television. In addition, the Debtors operated an interactive business which offered website complements, as well as digital and mobile products, to their newspaper and broadcast properties. With the assistance of Young Conaway, the Debtors successfully confirmed their joint plan of reorganization and emerged from bankruptcy protection on April 30, 2010.

In re Basin Water, Inc.

Young Conaway served as lead counsel to Basin Water, Inc. and certain of its affiliates, in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. Headquartered in Rancho Cucamonga, California, the Debtors design, build and implement systems for the treatment of contaminated groundwater, industrial process water, and air streams from municipal and industrial sources. Under the guidance of Young Conaway, the Debtors successfully liquidated their assets, confirmed a joint plan of liquidation and emerged from bankruptcy protection on February 1, 2010.

Axiant, LLC

Young Conaway acted as co-counsel, with Latham & Watkins LLP, to Axiant, LLC in its chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. The Debtor was a leading national provider of financial services, legal collections and recovery management solutions for banks, credit card issuers and investors in debt products.

Stallion Oilfield Services Ltd.

Young Conway served as co-counsel for an informal committee of lenders and holders of unsecured senior notes of Stallion Oilfield Services Ltd. and certain of its affiliates, chapter 11 debtors in a proceeding before the United States Bankruptcy Court for the District of Delaware.

Velocity Express Corporation

Young Conaway served as counsel to the Official Committee of Unsecured Creditors in the Chapter 11 proceeding of Velocity Express Corporation, et al., in the United States Bankruptcy Court for the District of Delaware. As of the petition date, the Debtors were engaged in the business of providing "time definite logistics services."

Buffets Holdings Inc. I

Young Conaway acted as lead counsel to Buffets Holdings, Inc. and certain of its affiliates in their chapter 11 proceeding before the United States Bankruptcy Court for the District of Delaware. The Debtors comprised the nation's largest company-owned steak-buffet restaurant chain, and one of the largest national chains in the family dining segment of the restaurant industry. Under the guidance of Young Conaway, the Debtors successfully confirmed their chapter 11 plan of reorganization and emerged from bankruptcy protection on April 28, 2009.

In re Motor Coach Industries International, Inc.

Eclipse Aviation Corporation

Young Conaway acted as co-counsel, with Allen & Overy LLP, to Eclipse Aviation Corporation and certain of its affiliates in their chapter 11 proceeding before the United States Bankruptcy Court for the District of Delaware. Prior to the filing, the Debtors developed and manufactured twin turboprop jet aircraft, specifically known as the Eclipse 500. With the assistance of Young Conaway, the Debtors successfully sold substantially all of their assets in a 363 sale.

DBSI, Inc.

Young Conaway acted as lead counsel to DBSI, Inc. and certain of its affiliates in their chapter 11 proceeding before the United States Bankruptcy Court for the District of Delaware. The Debtors collectively comprised a network of real estate entities which had interests in numerous commercial real estate projects and businesses.

In re Diamond Glass Corporation

Young Conaway acted as co-counsel, with Foley & Lardner LLP, to Diamond Glass, Inc. and DT Subsidiary Corp. in their chapter 11 proceeding before the United States Bankruptcy Court for the District of Delaware. The Debtors collectively constituted one of the nation's oldest and leading providers of automotive glass replacement and repair services. With the assistance of Young Conaway, the Debtors successfully sold substantially all of their assets in a 363 sale, confirmed a joint plan of liquidation and emerged from bankruptcy protection.

In re Quaker Fabrics Corporation

In re ProxyMed Transaction Services, Inc.

Young Conaway acted as co-counsel, along with Foley & Lardner LLP, to ProxyMed Transaction Services, Inc. and its affiliates, in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. The Debtors were a multi-pronged information technology provider for the healthcare industry with electronic data exchange, laboratory, and cost containment business segments. With Young Conaway's assistance, the Debtors successfully conducted a sale of substantially all of their assets, wound down their operations, confirmed a joint plan of liquidation and emerged from bankruptcy protection in 2011.

Progressive Molded Products Inc.

Young Conaway served as co-counsel to Paul, Weiss, Rifkind, Wharton & Garrison LLP, to Progressive Molded Products, Inc. and certain of its affiliates, in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. At the time of their bankruptcy filing, the Debtors were a leading North American automotive interior subsystem supplier and manufactured products for a wide range of vehicle platforms, including six of the top ten selling models in North America.

InPhonic

Young Conaway acted as co-counsel to Adeptio INPC Finding LLC in the chapter 11 proceeding of InPhonic, Inc. and certain of its affiliates pending before the United States Bankruptcy Court for the District of Delaware

Delphi Corporation

Young Conaway acted as counsel to Metalforming Technologies, Inc. and Tyco Electronics Corporation, creditors and parties-in-interest in the Delphi Corporation chapter 11 proceeding in the United States Bankruptcy Court for the Southern District of New York.

In re Foamex International Inc.

Young Conaway served as co-counsel, with Paul Weiss Rifkind Wharton & Garrison LLP, to Foamex International Inc. and certain of its affiliates in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. The Debtors comprised the largest manufacturer of flexible polyurethane and advanced polymer foam products in North America. With the assistance of Young Conaway, the Debtors successfully confirmed their joint plan of reorganization and emerged from bankruptcy protection on February 12, 2007.

Delphi Corporation

Young Conaway acted as counsel to Metalforming Technologies, Inc. and Tyco Electronics Corporation, creditors and parties-in-interest in the Delphi Corporation chapter 11 proceeding in the United States Bankruptcy Court for the Southern District of New York.

Garden Ridge Corporation

Young Conaway acted as co-counsel, with Paul, Weiss, Rifkind, Wharton & Garrison LLP, to Garden Ridge Corporation and certain of its affiliates in their chapter 11 proceedings. Prior to the petition date, the Debtors operated Garden Ridge, a leading home decor retailer with stores located in the midwest and south. With the assistance of Young Conaway, the Debtors successfully confirmed their chapter 11 plan of reorganization and emerged from bankruptcy protection on May 12, 2005

In re UFI Liquidating Corporation

Cone Mills Corporation

Young Conaway served as co-counsel for Cone Mills Corporation, which was the world's largest producer of denim fabrics and one of the largest commission printers and finishers of home furnishings in North America. With the assistance of Young Conaway, the Debtors successfully sold substantially all of their assets and confirmed their plan of liquidation.

Evolve Software, Inc.

Young Conaway acted as lead counsel to Evolve Software, Inc. and certain of its affiliates in their chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. The Debtors were a national provider of service delivery software.

Golf America Stores, Inc.

Young Conaway served as co-counsel to Golf America Stores, Inc., a 35 store specialty retailer of premiere brands of golf related merchandise, including apparel, gifts, books, arts and equipment in eighteen states.

Pic 'n Pay Stores, Inc.

Young Conaway acted as lead counsel to Pic 'n Pay Stores in its chapter 11 proceeding in the United States Bankruptcy Court for the District of Delaware. Founded in 1957, Pic 'N Pay operated a chain of 453 discount shoe stores under the names Pic 'N Pay, Shoe World and Shoe City. With the assistance of Young Conaway, the Debtor successfully sold substantially all of its assets and confirmed a plan of liquidation in 2001.

Gibbs International, Inc.

Strategic bidder/purchaser in the *Pillowtex*, *Joan Fabrics* and *Delta Mills* chapter 11 bankruptcy cases

News

August 15, 2018

42 Young Conaway Lawyers Recognized by Best Lawyers in America, with 4 Attorneys Further Recognized as Lawyers of the Year (Wilmington, DE)



August 15, 2017

41 Young Conaway Attorneys Named in The Best Lawyers In America and Three Attorneys Receive Additional Specialty Recognition as Lawyer of the Year (Wilmington, DE)

March 9, 2011

Multiple Wins For Young Conaway In M&A Advisor's 5th Annual Turnaround Awards

January 5, 2011

The Deal Ranks Young Conaway #7 Bankruptcy Firm