



# Brett D. Goodman

PARTNER

Brett's practice focuses on bankruptcy, corporate restructuring and creditors' rights.



## Industries

[Fashion & Retail Law](#)  
[Hospitality](#)  
[Media & Entertainment](#)

## Practices

[Financial Restructuring & Bankruptcy](#)  
[Real Estate](#)

## Education

New York Law School, JD, 2006  
University of Michigan, BGS, James B. Angell  
Scholar, 2003

## Offices

[New York](#)

## Phone

[212.484.3939](#)

## Email

[Brett.Goodman@afslaw.com](mailto:Brett.Goodman@afslaw.com)

Brett has experience representing debtors, committees of creditors and equity holders, chapter 11 and 7 trustees, indenture trustees, agents, secured and unsecured creditors, lenders, asset purchasers and landlords in bankruptcy cases and out-of-court restructurings across the country. Brett also defends and prosecutes avoidance actions and represents lenders in complex commercial workouts and foreclosures. His matters have covered various industries, including financial services, banking, retail, restaurants, media, real estate, mortgage servicing, airlines, aerospace, and energy.

## Client Work

Representation of GLAS USA LLC as Administrative Agent under the \$324 million prepetition first lien facility and as DIP Agent under the \$85 million DIP facility in the chapter 11 cases of Exactech, Inc. and its affiliates.

Representation of Acquiom Agency Services LLC and Seaport Loan Products LLC as DIP Agents under the \$160 million DIP facility in the chapter 11 cases of Mobileum, Inc. and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$180 million DIP facility in the chapter 11 cases of Vyaire Medical, Inc. and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$31.5 million DIP facility in the chapter 11 cases of Dynata, LLC and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$215 million Term DIP facility in the chapter 11 cases of ConvergeOne Holdings, Inc. and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as Administrative Agent under the \$658 million prepetition term loan facility and as DIP Agent under the \$142 million DIP facility in the chapter 11 cases of Jo-Ann Fabrics and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$360 million DIP facility in the chapter 11 cases of Thrasio Holdings, Inc. and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as Indenture Trustee in connection with \$1.175 billion of unsecured notes in the chapter 11 cases of Invitae Corporation and its affiliates.

Representation of GLAS Trust Company as Administrative Agent under the \$695 million prepetition term loan facility and as DIP Agent under the \$285 million junior DIP facility in the chapter 11 cases of Hornblower Holdings LLC and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$150 million DIP facility in the chapter 11 cases of Cano Health, Inc. and its affiliates.

Representation of Wilmington Savings Fund Society, FSB as DIP Agent under the \$32 million DIP facility in the chapter 11 cases of Audacy, Inc. and its affiliates.

Representation of the independent director of Voyager Digital Holdings, Inc. in the Voyager chapter 11 cases.

Representation of launch services provider in the Masten Space Systems, Inc. chapter 11 case.

Representation of real estate investment firm in connection with leases of skilled nursing facilities in the Gulf Coast Health Care, LLC, et al. chapter 11 cases.

Representation of prepetition purchasers in the Tailored Brands, Inc., et al. chapter 11 cases.

Representation of DIP lender in the Collective, Inc. chapter 11 cases.

Representation of secured lender in the Firestar Diamond, Inc., et al. chapter 11 cases.

Representation of private investment firm in the Orion HealthCorp, Inc., et al. chapter 11 cases.

Representation of the Official Committee of Unsecured Creditors in the Holsted Marketing, Inc. chapter 11 case.

Representation of various solar project lessors in the SunEdison, Inc. et al. chapter 11 cases.

Representation of Trustee as Special Litigation Counsel in the Ampal-American Israel Corporation chapter 7 case.

Representation of commercial and shopping center landlords with leases in retail bankruptcy cases, including Pier 1 Imports, Town Sports, Fairway, GNC, RadioShack, Filene's Basement, H&H Bagels, Joyce Leslie, Crumbs, Payless Shoesource, Gymboree and Sears/Kmart.

Representation of aerospace equipment and systems companies in AMR Corporation, et al. chapter 11 cases, and Hawker Beechcraft, Inc., et al. chapter 11 cases.

Representation of the debtors in the Perkins & Marie Callender's Inc., et al. chapter 11 cases.

Representation of the Ad Hoc Steering Committee of Project Lenders of Fairfield Residential LLC, et al.

Representation of the Indenture Trustee for First Priority Senior Secured Notes and the Collateral Agent in the ION Media Networks, Inc., et al. chapter 11 cases.

Representation of the Ad Hoc Committee of Equity Security Holders in the CanArgo Energy Corporation chapter 11 case.

Representation of the Indenture Trustee for Convertible Senior Debentures in the LandAmerica Financial Group, Inc., et al. chapter 11 cases.

Representation of the Indenture Trustee for Convertible Senior Subordinated Notes in the Apex Silver Mines Limited, et al. chapter 11 cases.

Representation of a secured bank creditor in the Gold & Honey (1995) LP chapter 11 and chapter 15 cases.

## Publications, Presentations & Recognitions

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### Speaking Engagements

- Panelist, "Selling to and Collecting From a Chapter 11 Debtor," Credit Research Foundation 2024 October Forum, October 21, 2024
- Panelist, "The Next Wave", Credit Research Foundation, March 9, 2022
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- Co-presenter, “Bankruptcy Claims Trading,” Financial Poise Webinar, March 9, 2021.
- Moderator/Speaker, “Make-Whole Premiums Part 2: The Landscape Since Momentive and Energy Future Holdings,” ABA Business Law Section Annual Meeting, September 19, 2015.
- Speaker, “Make-Whole Premiums: The Good, The Bad and The Ugly,” ABA Business Law Section Annual Meeting, September 12, 2014.
- Speaker, “Bankruptcy Issues With Loan Structures and Workouts,” ABA Business Law Section Spring Meeting, April 12, 2014.

#### **Publications**

- Co-Author, [Another Retail Bankruptcy Wave May Be On Its Way](#), Law360, July 15, 2022
- Co-Author, “[Will the Retail Apocalypse Return?](#),” *The New York Law Journal*, May 18, 2022
- “The Fifth Circuit Takes on the Issue of Prepayment Premiums,” 33 No. 5 LJM’S EQUIPMENT LEASING NEWSL. 1 (June 2014).

#### **Rankings and Recognition**

- Awarded, “Industrials Deal of the Year” by *The M&A Advisor*, March 22, 2023
- Selected as New York “Rising Star” in Bankruptcy: Business by New York Super Lawyer Magazine-Metro Edition (2014 – 2021)
- Selected as New York “Rising Star” in Bankruptcy & Creditor/Debtor Rights by New York Super Lawyer Magazine-Metro Edition (2013)

### **Professional Activities**

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- Turnaround Management Association
- Secured Finance Network

### **Life Beyond the Law**

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Brett lives in Westchester County with his wife and three children. He’s an avid New York and University of Michigan sports fan. In his spare time, he enjoys exercising, biking, and chasing his kids from one activity to the next.

### **Bar Admissions**

[New York](#)  
[New Jersey](#)

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### **Court Admissions**

[US Court of Appeals, 2nd Circuit](#)  
[US District Court, District of New Jersey](#)  
[US District Court, Eastern District of New York](#)  
[US District Court, Southern District of New York](#)  
[US District Court, Western District of New York](#)  
[US District Court, Southern District of Texas](#)