

Partner, New York

Corporate Restructuring



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Education

J.D., Fordham University
School of Law, 2011 (*cum laude*; Notes
& Articles Editor, *Fordham Law Review*)

B.S., University of Pittsburgh, 2008
(*magna cum laude*)

Bar Admissions

New York

Evan Hill focuses his practice on complex corporate and financial restructurings, advising clients in all aspects of out-of-court restructurings, liability management transactions, Chapter 11 reorganizations, and distressed mergers and acquisitions. Mr. Hill's restructuring experience spans a wide variety of industries, including health care, energy, financial services, retail, gaming, shipping and media. In addition, Mr. Hill has experience representing corporate clients, private equity sponsors and investment banks in connection with public and private mergers and acquisitions, recapitalizations and equity investments. He also regularly advises corporate clients and investors in structuring complex securitization transactions and bankruptcy-remote investment vehicles.

Mr. Hill is an active member of several industry and charitable organizations. For example, he has served as a member of the board of directors and in other leadership positions of the New York City Chapter of the Turnaround Management Association (TMA). He also is a member of the American Bankruptcy Institute (ABI) and the New York City Bar Association, where he serves on the Bankruptcy and Corporate Reorganization Committee, the Structured Finance Committee and formerly as secretary and treasurer of the Legal History Committee. Mr. Hill also is a member of the leadership of Young Catholic Renewal, a group of professionals in the corporate restructuring industry aged 40 and under who are committed to providing charitable assistance to those in need.

In recognition of his work, Mr. Hill was named one of *Turnarounds & Workouts*' Outstanding Young Restructuring Lawyers in 2024. He also has been honored by *Chambers USA*, by *Best Lawyers in America* and as one of Lawdragon's 500 Leading Global Bankruptcy & Restructuring Lawyers, in addition to being named one of the ABI's 40 Under 40 Emerging Leaders in Insolvency Practice and the winner of the TMA's Emerging Leader Award. In addition, he was selected as the recipient of the Lawyers Alliance for New York's Cornerstone Award in recognition of his distinguished *pro bono* service to nonprofit organizations. Mr. Hill also frequently writes and speaks on issues pertaining to financial distress and restructuring.

Additionally, Mr. Hill actively represents a variety of *pro bono* clients, with a focus on nonprofit organizations. He has advised dozens of nonprofit organizations in all aspects of corporate governance, commercial transactions and mergers and acquisitions. Mr. Hill also is a member of the Law Firm Anti-Racism Alliance Banking Working Group, which is tasked with examining the practices of banking and financial institutions to determine how best to address elements of the industry that perpetuate racial inequity.

His significant representations include:

Company Representations

- True Value, a leading hardware distributor that serves thousands of customers, in its Chapter 11 case involving the going concern sale of its business to Do it Best Corp.
- a contract development and manufacturing organization in connection with the workout of its private credit financing facility
- Endo Pharmaceuticals in its highly complex multinational Chapter 11 case involving over \$8 billion of debt and trillions of dollars of asserted mass tort claims
- a sponsored portfolio company in the entertainment industry in connection with contingency planning and out-of-court liability management transactions

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- Borr Drilling, an international offshore drilling company, in connection with contingency planning and liability management transactions involving more than \$1 billion of debt
 - Stearns Lending, a leading mortgage originator, in its Chapter 11 restructuring involving approximately \$1.3 billion of debt
 - New Cotai, a major shareholder in Macau-based integrated resort operator Studio City, in its Chapter 11 restructuring involving approximately \$850 million of debt
 - SunEdison, a renewable energy developer with wind and solar projects located on six continents, in its complex multinational Chapter 11 case involving the restructuring of approximately \$8.7 billion of debt and \$2.3 billion in gross asset sales
 - Everest Capital, an emerging markets-focused hedge fund, in its out-of-court wind down
 - iPayment in its out-of-court exchange offers and refinancing involving nearly \$1 billion of debt
 - Millennium Health in its prepackaged Chapter 11 cases and restructuring of \$2.1 billion of debt
 - Nautilus Holdings Limited in its Chapter 11 cases involving \$770 million of debt

Board/D&O Representations

- the special committee of the board of directors of Alpha Latam, a Latin American financial technology services company that filed Chapter 11 with approximately \$850 million of debt
- certain directors and officers in the Chapter 11 cases of Silicon Valley Bank, Brooks Brothers, The Weinstein Company and Republic Airways

Creditor/Lender Representations

- a financial institution in connection with its debt holdings in Serta Simmons Bedding
- Barclays Bank in connection with its roles as pre- and post-petition lender and agent under various multibillion-dollar financing facilities with Ditech Holding Corporation
- Bank of America, N.A. as the agent for the prepetition \$1.85 billion revolving credit facility for Toys “R” Us
- Black Diamond Capital Management as the largest secured creditor in the Chapter 11 cases of Harvey Gulf International Marine
- Salus Capital Partners LLC as secured creditor in RadioShack’s Chapter 11 cases

Purchaser/Equity Representations

- Jonathan Engineered Solutions, a portfolio company of JLL Partners, in its Section 363 acquisition of substantially all of the assets of Orion Technologies
- L’Occitane International S.A. in connection with the Chapter 11 case of its wholly owned subsidiary L’Occitane, Inc.
- Highbridge Capital Management as DIP lender and stalking horse bidder in the Chapter 11 cases of Pernix Therapeutics
- United Natural Foods in its acquisition of SUPERVALU for \$2.9 billion, including assumption of outstanding debt and liabilities
- Talen Energy as equity holder in connection with the prepackaged Chapter 11 cases of New MACH Gen involving approximately \$600 million of debt
- Sciens Capital Management as controlling stockholder in connection with the Chapter 11 cases of the firearm manufacturer Colt Defense
- certain affiliates of Sciens Capital Management in connection with the workout of cross-border debt facilities

Selected Publications

- “Early Stage Capital Raising Trends in Chapter 11 Reorganizations,” *Harvard Law School Bankruptcy Roundtable*, April 2, 2024
- “Prepackaged Bankruptcies,” *Strategic Alternatives For And Against Distressed Businesses*, 2024
- “Lessons Learned From Recent Uptier Transaction Litigation,” *Turnaround & Workouts*, October 2023
- “Early Stage Capital Raising Trends in Chapter 11 Reorganizations,” *Skadden Insights*, June 2023
- “Prepackaged Bankruptcies,” *Strategic Alternatives For And Against Distressed Businesses*, 2023
- “Uptier Exchange Transactions Remain in Vogue, Notwithstanding Litigation Risk,” *Westlaw*, March 8, 2021, and *Skadden Publication*, February 2, 2021
- “Fifth Circuit To Weigh Enforceability of Make-Whole Premiums in Chapter 11,” *Skadden’s 2021 Insights*, January 26, 2021
- “Prepackaged Bankruptcies” chapter, *Strategic Alternatives For and Against Distressed Businesses*, 2021

Selected Speaking Engagements

“Recognition, Releases and Torts in a Cross-Border World,”
Distressed Investing Conference, December 4, 2024

Guest Lecturer, “Deals: The Economic Structure of Transactions and Contracting” course, University of Pennsylvania Carey Law School and Wharton Business School, June 6, 2024

“Bi-Annual Program on Hot Topics in Bankruptcy,” The Association of Commercial Finance Attorneys webinar, April 3, 2024

“The Nuts & Bolts of Bankruptcy Law 2024 / The Nuts & Bolts of DIP Financing,” Financial Poise webinar, March 20, 2024

“The Nuts & Bolts of Bankruptcy Law 2024 / #1 The Nuts & Bolts of a Chapter 11 Plan,” Financial Poise webinar, January 24, 2024

“Liability Management Panel: Navigating Past Challenges and Charting Future Paths,” Distressed Investing Conference, November 29, 2023

“Plan Confirmation Issues: Recent Decisions and Hot Topics,” New York City Bar Association panel discussion, October 18, 2023

“The Eye of the Storm: A Look at Current Trends & Distressed Opportunities for 2021,” Turnaround Management Association webinar, January 27, 2021