

Stevens & Lee

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Thomas G. Whalen

Shareholder

thomas.whalen@griffinfinancialgroup.com

Valley Forge

610.205.6115

Practice

Bankruptcy and Financial Restructuring

In his bankruptcy legal practice, Tom represents creditors' committees, members of creditors' committees and ad hoc bond/noteholder committees in a broad range of issues. He also advises post-confirmation trusts and plan administrators in prosecuting avoidance actions and claims objections and all other matters necessary to complete the reorganization process. Tom has defended hundreds of avoidance actions and objections to claims. He also represents various types of creditors, including secured creditors, debtor-in-possession lenders, equipment lessors, landlords, tenants, utilities and trade creditors in asserting their rights or defenses in the bankruptcy or restructuring process.

Tom has represented several purchasers of assets pursuant to Section 363 of the Bankruptcy Code in numerous regional and national cases. He assisted in representing a petitioner in prosecuting an appraisal action and in representing a plaintiff in an action seeking an emergency temporary restraining order in the Delaware Chancery Court. Tom also successfully assisted a national bank in obtaining summary judgment in the United States District Court for the District of Delaware and in defeating a subsequent appeal to the Third Circuit Court of Appeals on a case of first impression on the interpretation of controlling insurance policies. He has appeared in the federal and state courts of Delaware and in other jurisdictions on various bankruptcy, restructuring and other commercial litigation matters.

Tom also leads the Special Situations Groups of our affiliated investment bank, Griffin Financial Group. He helps over-leveraged companies find new liquidity and navigate debt restructuring, M&A, complex recapitalizations, refinancings, capital raises and M&A sales. Tom has developed deep industry-specific knowledge in health care (physicians' practices and facilities), logistics and transport, and real estate sectors, among others. His transactional expertise includes M&A advisory, complex restructurings and recapitalizations, refinancings and capital raises for senior, second lien and subordinated debt, including

assisting clients in special situations with transactional solutions to financial, operational or liquidity challenges. He has led and completed more than 50 transactional assignments.

Prior to joining Stevens & Lee and Griffin, Tom was a law clerk for the Hon. Thomas M. Twardowski of the United States Bankruptcy Court for the Eastern District of Pennsylvania.

Affiliations

- Healthcare Services Group, Inc, Board of Directors
- American Bankruptcy Institute
- Turnaround Management Association
- Delaware State Bar Association
 - Commercial Section
 - Litigation Section
- American Bar Association

Education

- The Wharton School of the University of Pennsylvania, Post-Graduate Certificate, Finance and Accounting
- Temple University School of Law, J.D.
- Temple University, B.A., *cum laude*

Bar Admissions

- Delaware

Court Admissions

- U.S. Bankruptcy Court for the District of Delaware
- U.S. District Court for the District of Delaware
- U.S. Court of Appeals for the Third Circuit