

Associate, Chicago

Corporate Restructuring



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Education

J.D., University of Iowa College of Law,
2016 (with highest distinction)

B.A., Bowling Green State University,
2013 (*cum laude*)

Bar Admissions

Illinois

Selected Publications

"An Introduction to the Unique
Issues in Bank Holding Company
Bankruptcies," *Harvard Law School
Bankruptcy Roundtable*, June 27, 2023,
and *Skadden Insights*, April 2023

"SVB Collapse Highlights Ch. 11 Issues
With Bank Holding Cos.," *Law360*,
April 10, 2023

"Navigating Today's Environment:
The Directors' and Officers' Guide
to Restructuring (Banking Financing:
Overview and Current Developments
- Legal Perspective)" *FTI Consulting*,
2023

"A Playbook for Borrowers Facing
Economic and Debt Market Pressures,"
Skadden's 2023 Insights, December
13, 2022

Rob Fitzgerald advises companies and their stakeholders and investors on Chapter 11 restructurings, out-of-court restructurings and recapitalizations, distressed M&A and asset sale transactions and debtor-in-possession (DIP) financings.

Mr. Fitzgerald's representations include:

- Castlelake, L.P. in connection with the DIP and exit financing transactions in Scandinavian Airlines' (SAS') bankruptcy case. This included:
 - Castlelake's \$500 million refinancing of SAS' DIP term loan
 - entry into an investment agreement as part of a consortium of bidders for a \$1.2 billion debt and equity investment in the reorganized SAS to be implemented pursuant to a Chapter 11 plan and Swedish reorganization proceeding
- Bank of America:
 - as agent under a \$125 million asset-based DIP financing facility in Instant Brands' Chapter 11 bankruptcy case
 - as prepetition and DIP asset-based lending agent in Sears' bankruptcy case
- Black Diamond Capital Management, L.L.C. in securing approval from the Bankruptcy Court for the Southern District of New York of the sale of Empire Generating to an entity controlled by Black Diamond and confirmation of a related "no impairment" plan of reorganization over the objection of certain minority lenders
- Melinta Therapeutics, Inc. in its Chapter 11 prenegotiated reorganization in the U.S. Bankruptcy Court for the District of Delaware. The restructuring included a support agreement under which Deerfield Private Design Fund III, L.P. and Deerfield Private Design Fund IV, L.P., the lenders under Melinta's senior credit facility, acquired Melinta by exchanging \$140 million of secured claims arising under its senior credit facility for 100% of the equity to be issued by the reorganized company
- Synergy Pharmaceuticals Inc. in its Chapter 11 cases in the U.S. Bankruptcy Court for the Southern District of New York, including its sale of substantially all of its assets to Bausch Health Companies Inc. under Section 363 of the U.S. Bankruptcy Code
- Party City in its out-of-court debt restructuring involving an exchange offer and rights offering
- Danaos Corporation, an international containership company, in connection with its out-of-court restructuring of over \$2.2 billion in secured debt obligations
- Concordia International Corp., a specialty pharmaceutical company, in a first-of-its-kind \$3.7 billion cross-border recapitalization transaction
- EMAS CHIYODA Subsea Limited, an international subsea construction company, in its successful restructuring in Chapter 11 cases in the U.S. Bankruptcy Court for the Southern District of Texas
- affiliates of The Washington Companies in connection with their provision of a \$55 million interim financing facility in connection with Dominion Diamond Mines' Canadian insolvency proceedings
- Triangle USA Petroleum Corporation in its Chapter 11 restructuring

Mr. Fitzgerald has written articles on a range of topics, including DIP financing, creditor standing and out-of-court restructurings.