

## Holland N. O'Neil

### Partner

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Dallas

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Holland “Holly” O’Neil is a skilled financial restructuring and reorganization partner. Recognized for her courtroom presence and negotiating skills, Holland is well-regarded in the bankruptcy bar. She practices in Texas, Delaware and in jurisdictions across the United States.

Holland brings more than 35 years of experience to her practice, which focuses primarily on corporate restructurings. She assists clients in complex bankruptcies, restructurings and workouts, acquisitions of distressed assets, and bankruptcy litigation. She and her team members have represented clients in all aspects of turnarounds, financial restructurings and reorganization. She advises clients in numerous industries, including:

- Electric cooperatives/utilities
- E-Commerce
- Equipment suppliers
- Health care
- Hospitality
- Manufacturing
- Oil and gas/energy
- Real estate
- Restaurants/food service/franchises
- Retail
- Technology
- Telecommunications
- Transportation

Holland is a member of the firm’s Management Committee and was the chair of Gardere Wynne Sewell LLP immediately prior to its merger with Foley in 2018.

## Representative Experience

- Brazos Electric: Served as special and conflicts counsel in multibillion-dollar bankruptcy matter. Advised on day-to-day strategy and handling of conflict matters including significant claims disputes. Managed various pending adversary proceedings.
- Represented buyer/DIP lender/lender in acquisition of the Cici's Pizza franchisor entities.
- AiBUY: Represented entities through a successful plan of reorganization in their bankruptcy case in the Northern District of Texas, Dallas Division. The plan paid all allowed non-insider unsecured claims creditors in full, plus interest, and converted the secured creditor's debt to equity to allow the company to remain in business.
- SSCP Restaurant Investors: Represented the senior secured lender and ultimately the successful bidder of the 363 sale of all assets of Corner Bakery Holding Company, a fast-casual restaurant chain.
- Novvi: Representing the senior lender and large equity holder of this closely held company to restructure through a pre-negotiated Chapter 11 bankruptcy, projected to pay all creditors in full and convert the debt to equity through a pre-packaged plan of reorganization.
- Briggs and Stratton: Co-bankruptcy counsel for the company and its affiliates to effectuate a successful sale of the business enterprise.
- Patriot Well Solutions and its subsidiaries: Currently representing the Official Committee of Unsecured Creditors of Patriot Well Solutions in the Southern District of Texas.
- CARBO Ceramics Inc. and its subsidiaries: Represented the Official Committee of Unsecured Creditors in the bankruptcy cases of this sand mining and proppant manufacturing company and its subsidiaries. After a significant valuation dispute, a settlement resulting in an agreed confirmed plan was negotiated. The creditors of the parent entity are projected to receive four times the initial plan proposal and the subsidiary creditors are to be paid in full. *"The committee played a very valuable role in this case. I think it should give everyone confidence in the system that we had a committee that came in, I think under difficult circumstances, with a Debtor that is really on its back, and fought very hard and received substantial benefits for its constituency."* – J. Isgur, Transcript of Conf.Hrg. [Doc. 543, p.33].
- Highland Capital Management, L.P. and related affiliates: Represented Highland Capital, a multibillion-dollar private equity fund, in the involuntary bankruptcy proceedings of its former portfolio affiliates, Acis Capital Management LP and Acis Capital GP, LLC.
- Hi-Way Equipment Company and subsidiaries: Represented Debtors, which was one of the largest dealers of CASE construction equipment, lawn, and finish mowers and other heavy equipment in Texas, New Mexico, and surrounding states. Successfully negotiated a plan of reorganization that facilitated the sale of the business to a strategic buyer.
- Shale Support Holdings LLC and subsidiaries: Represents the Official Committee of Unsecured Creditors in the bankruptcy case of this sand mining company and its numerous subsidiaries. Consensual plan of reorganization was recently confirmed, with unsecured creditors receiving a significant recovery based on the applicable debtor obligor.
- Texas Rangers Baseball LLC: Represented GSP Finance, as the Administrative Agent and the Second Lien Lenders in one of the few bankruptcy proceedings of a major league baseball team in the United States. Was integral in facilitating a bankruptcy auction for the ownership of the team, which resulted in

one of the highest sums paid for a major league baseball team at that time.

- CoServ Electric: Represented Debtors, including electric and gas utilities and their telecom, real estate, and related affiliates in the bankruptcy restructuring of more than US\$1.2bn in debt. Although contentious initially, three separate consensual plans of reorganization were confirmed with creditors receiving 100% under each of the utility, real estate, and telecom reorganization plans.
- Renaissance Hospital Group and related affiliates: Represented Debtors in this multi-city group of hospitals and physician practices business.
- *Current out-of-court restructuring engagements:*
  - Served as lead counsel for a fast-casual vegan restaurant chain with multiple locations across the country to orchestrate an assignment for the benefit of creditors (ABC) whereby the going concern transfer of the business was made to the senior secured creditor out of court, thus saving many jobs.
  - Represented private restaurant chain in Article 9 out-of-court restructuring.
  - Representing security systems company in out-of-court workout.
  - Represented not-for-profit religious organization with significant tort claims.
  - Represented one of the largest suppliers of aftermarket auto repair and maintenance warranties and related insurance products in restructuring negotiations.
  - Represented multichain, multistate assisted living and memory care facilities owner in out-of-court restructuring.

## Awards and Recognitions

- *Chambers USA: America's Leading Lawyers for Business*
  - Bankruptcy/Restructuring (Texas) (2004-2024)
  - Women in Law – Outstanding Contribution to Gender Diversity (Private Practice) Award finalist (2014)
- *The Best Lawyers in America*®
  - Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2006-2023)
  - Litigation – Bankruptcy (2011-2023)
- 500 Leading U.S. Bankruptcy and Restructuring Lawyers – *Lawdragon* (2020, 2022-2024)
- Commencement Speaker, Texas Tech University School of Law (2020)
- *IFLR1000*
  - Banking, Energy, Financial Restructuring, Healthcare & Project Finance (2018)
- *The Dallas 500, D CEO* magazine (2016-2018)
- Best Lawyers in Dallas, *D Magazine*
- *Texas Super Lawyers*®
  - Bankruptcy & Creditor/Debtor Rights (2003-2023)
- “Women at the Pinnacle of the Legal Profession” Award – Association of Women Attorneys (2015)
- Distinguished Alumni Award – Texas Tech University School of Law (2015)
- ICFM 100 Leading Female Lawyers Award (2014)

- Women Leaders in Law – *D CEO* magazine (2014)
- Turnaround Award: Healthcare and Life Science Deal of the Year (Over \$100 Million) (award recognizes leading distressed investing, restructuring and turnaround professionals across the United States and international markets) – Co-recipient (2013)
- Peer review rated as AV Preeminent<sup>®</sup> (5.0 out of 5) – Martindale-Hubbell<sup>®</sup> Peer Review Ratings™

## Affiliations

- State Bar of Texas
- State Bar of Arizona
- American Bankruptcy Institute
- Turnaround Management Association
- American Bar Association
- Dallas Bar Association
  - Bankruptcy Law Section
- Texas Bar Foundation

## Community Involvement

- Texas Tech University School of Law Foundation Board (2017-present)
  - Governance Committee – Chair
- Texas Tech Foundation Board of Directors (2021 – present)
- Dallas Citizens Council – Board of Directors (2015-2021)

## Sectors

- [Energy](#)
- [Health Care & Life Sciences](#)

## Practice Areas

- [Bankruptcy & Business Reorganizations](#)
- [Business Litigation & Dispute Resolution](#)
- [Creditor Committee Representation](#)
- [Litigation](#)

## Education

- Texas Tech University School of Law (J.D.)
  - Editor-in-chief, *Texas Tech Law Review*
- The University of Texas at Austin McCombs School of Business
  - Finance

## Admissions

- Texas



FOLEY & LARDNER LLP

- Arizona
- Texas State Courts
- Arizona State Courts
- U.S. District Court for the District of Arizona
- U.S. District Court for the Eastern, Northern, Southern and Western Districts of Texas
- U.S. Court of Appeals for the Fifth Circuit