



## James S. Carr

Partner

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### About

Jim Carr is the driving force behind one of the nation's most respected, experienced, and robust creditor-side and retail bankruptcy practices. It is a practice Jim built from the ground up shortly after starting his career at Kelley Drye more than three decades ago.

During that time, Jim has been involved in all aspects of the bankruptcy process and has played leading roles on behalf of creditor constituents in countless high-profile billion-dollar cases.

Previous Chair of Kelley Drye, previous Chair of the Bankruptcy and Restructuring practice, and current member of the firm's Executive Committee, Jim regularly works with high-level executives to develop practical strategies to achieve their legal and business goals. He has a lengthy and successful track record of delivering realistic, creative solutions to novel issues that often arise in complex debt restructurings.

Because Jim thoroughly understands the bankruptcy process from start to finish, he is able to foresee an adversary's next steps, allowing him to create a strategy to counteract the challenges and obstacles his client would otherwise encounter. Jim's clients value his experience and well-earned reputation in the bankruptcy bar, his ability to guide them through challenges in a way that makes practical business sense, and the peace of mind he provides from such comprehensive advice.

Jim's practice focuses on creditor representations in corporate bankruptcy cases. He established a thriving practice counseling unsecured creditors, creditors' committees, and ad hoc committees both in court and out-of-court restructurings. Jim also developed the country's leading retail bankruptcy practice representing owners and developers of shopping centers with a team of lawyers that has been involved in more than 400 retail cases. Jim also has substantial experience representing indenture trustees in some of the largest and most complex bankruptcy cases and has been retained as an expert witness to testify on the interpretation of indentures and the Trust Indenture Act.

Jim is also the founder and managing director of META Advisors LLC, an organization that specializes in administering trusts established pursuant to plans of reorganization or liquidation in Chapter 11 bankruptcy cases. He consistently strives for an efficient post-confirmation process for his clients. To accomplish this goal, Jim becomes involved prior to confirmation, suggesting appropriate provisions that should be included in plans and in confirmation orders. He engages in the same process for out-

of-court workouts and structured dismissals by focusing on the terms of the settlement agreements and provisions in orders dismissing Chapter 11 cases. Jim has been involved in all aspects of post-confirmation liquidations for companies across numerous industries.

Befitting the respect he has earned among clients, peers, and bankruptcy judges, and reflective of the credibility and effectiveness of his counsel, he has been recognized as one of *Law360's* "10 Most Admired Bankruptcy Attorneys" and as a premier bankruptcy lawyer in *Chambers USA: America's Leading Lawyers for Business*, *The Best Lawyers in America*®, *The Deal Pipeline*, *The M&A Advisor*, and *Super Lawyers*. As one client told *Chambers USA*, Jim has a "deep understanding of the bankruptcy bar" and is "very well respected—when his name shows up, it's something that immediately gets attention and respect." As another said, "He develops pragmatic solutions to achieve my goals, and he uses his deep relationships with the bankruptcy bar to benefit his clients."

A frequent writer and speaker on bankruptcy and restructuring matters, Jim is a member of the Mediation Panels of the United States Bankruptcy Courts for the Southern District of New York and the District of New Jersey.

## Experience

### Official Committees of Unsecured Creditors

American Blue Ribbon; Bayou Steel; Chevys, El Torito and Acapulco Restaurants; Dickinson Theatres; Escada; ESCO (Shoe City); Fuddruggers; GT Advanced Technologies; In-Shape Holdings; Independent Pet Partners; Innovative Mattress Solutions; Jennifer Convertibles; Kona Grill; Loehmann's; Medley LLC; Olympia Sports; Real Mex Restaurants; Scout Media; The Limited; TMT USA Shipmanagement; Verestar

### Ad Hoc Committees

Ad Hoc Committee of Landlords of A.C. Moore; Ad Hoc Committee of Landlords of CompUSA; Ad Hoc Committee of Governmental Claimants of Kidde-Fenwal

### Indenture Trustees

American Eagle Energy; Caesars Entertainment; Diamond Sports Group; General Motors; Endo International; Hawaiian Telecom; Frontier Airlines; iHeart Communications; Intelsat; ION Media Networks; James River Coal; Lehman Brothers; Motor Coach; Residential Capital; Ocean Rig; TerreStar; Trump Entertainment Resorts; VeraSun Energy; Vion Pharmaceuticals; Windstream

### Retail

A&P; Aeropostale; AllSaints USA; Ames Department Store; Bed Bath & Beyond; Blockbuster; Borders; Burlington Coat Factory; Circuit City; Eddie Bauer; Fortunoff; JC Penney; Kmart; Linens 'n Things; Mervyn's; Modells; Montgomery Ward; Neiman Marcus; Party City; RadioShack; Sears; Sharper Image; The Sports Authority; Toys "R" Us; Wilson's Leather

### Post-Confirmation Trustees

Ascena; Ashley Stewart; Brookstone; Buffets; Cineworld; Coldwater Creek; Copperweld; Ditech Holding Corporation; Entrust; Exide Technologies; Friendly's; Gander Mountain, Inc.; Gordmans; J.Crew; LandSource; Noranda Aluminum; OneWeb; Party City; Payless; RTW Retailwinds, Inc.;

Shopko; Town Sports; VeraSun Energy; Vestis Retail Group; Wet Seal

## Honors

Jim's achievements have been recognized by the Global M&A Network for his successful representation of the Official Committee of Unsecured Creditors in the following Chapter 11 cases:

- Chapter 11 Liquidation of the Year: Medley LLC
- Private Equity Acquisition Deal of the Year (Small Markets Segment): In-Shape Holdings, LLC
- Turnaround Deal of the Year: GT Advanced Technologies Inc.
- Retail & Services Turnaround Deal of the Year: Jennifer Convertibles, Inc

A description of the selection methodology can be found at [globalmanetwork.com/restructuring/turnaround-awards/](http://globalmanetwork.com/restructuring/turnaround-awards/).

He was selected as a fellow by the American Bar Foundation. A description of the selection methodology can be found at [www.americanbarfoundation.org/fellows/index.html](http://www.americanbarfoundation.org/fellows/index.html).

Jim was selected for inclusion as a leading Bankruptcy attorney by *Chambers Global*. A description of the selection methodology can be found at [chambers.com/about-us/methodology](http://chambers.com/about-us/methodology).

He was recognized by *The M&A Advisor* as the Winner of the Retail Manufacturing/Distribution Deal of the Year regarding the Sale of Oreck Corporation to Royal Appliance Manufacturing Co. A description of the selection methodology can be found at [maadvisorawards.secure-platform.com/a](http://maadvisorawards.secure-platform.com/a).

Jim was previously selected as one of *Law360's* 10 Most Admired Bankruptcy Attorneys. A description of the selection methodology can be found at [www.law360.com/articles/192875/most-admired-attys-kelley-drye-s-james-carr](http://www.law360.com/articles/192875/most-admired-attys-kelley-drye-s-james-carr).

He was selected for inclusion in the Bankruptcy and Creditor-Debtor Rights / Insolvency and Reorganization Law area, and in the Bankruptcy Litigation area as one of *The Best Lawyers in America*® (Woodward/White, Inc.). A description of the selection methodology can be found at [www.bestlawyers.com/methodology](http://www.bestlawyers.com/methodology).

Jim was selected for inclusion with top-five honors in *The Deal Pipeline's* Bankruptcy League Tables as a "Top Bankruptcy Lawyer." A description of the selection methodology can be found at [www.thedeal.com/league-tables/ma/](http://www.thedeal.com/league-tables/ma/).

He was listed in the Corporate Restructuring area by *US Legal 500*, a Legalease Publication. A description of the selection methodology can be found at [www.legal500.com/assets/pages/about-us/how-it-works.html#rank](http://www.legal500.com/assets/pages/about-us/how-it-works.html#rank).

Jim was selected for inclusion in the New York *Super Lawyers* lists, issued by Thomson Reuters. He was also selected "as one of the New York Metro Top 100 Lawyers." A description of the selection methodology can be found at [www.superlawyers.com/about/selection\\_process.html](http://www.superlawyers.com/about/selection_process.html).

He was selected for inclusion as a national and New York leading practitioner in the Bankruptcy/Restructuring area by *Chambers USA*. A description of the selection methodology can be found at [chambers.com/about-us/methodology](http://chambers.com/about-us/methodology).

*No aspect of these advertisements have been approved by the Supreme Court of New Jersey.*

# Affiliations

The Notre Dame Law Association Board of Directors, past president and first generation member liaison

Notre Dame Lawyers of New York City, founder and chair

American Bankruptcy Institute

International Council of Shopping Centers

New York State Bar Association, Bankruptcy Committee

Credit Research Foundation

Law360 Bankruptcy Editorial Advisory Board, 2021-2022, member

Don Bosco Prep High School, Board of Trustees

## Related Services

Bankruptcy and Restructuring  
Manufacturing

## Education

University of Notre Dame Law School, J.D., 1987

Upsala College, B.A., 1984

- cum laude

## Admissions

New York, 1988

New Jersey, 1987

## Courts

U.S. Court of Appeals-Third Circuit

U.S. Court of Appeals-Fourth Circuit

U.S. District Court-Southern District of New York

U.S. District Court-Eastern District of New York

U.S. District Court-District of New Jersey