

## John R. Rizzardi

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### Introduction

As the leader of the firm's Bankruptcy practice group, John provides strategic, general business planning and dispute resolution assistance to a wide range of companies and their owners. He is nationally recognized for his commercial bankruptcy and creditors' rights skills and also focuses on providing advice concerning potential or actual insolvency proceedings, including receiverships, forbearance negotiations and related litigation. John also cochairs the firm's Agriculture industry group, focusing primarily on the needs of agricultural lenders with accounts affected by threatened or actual insolvency. Together with CH&'s litigation, corporate finance, banking, insurance and real estate attorneys, he is able to provide comprehensive solutions for commercial insolvency, recovery and restructuring matters. John distills complicated situations so that they are digestible to his clients, allowing them to efficiently make decisions to get their businesses back on track.

John is certified by the Hudson Institute of Coaching and utilizes his deep understanding of business to provide executive and leadership coaching and facilitation services under the firm's subsidiary, Pioneer Square Solutions. A frequent mediator of commercial disputes, he is known for his ability to offer creative solutions to resolve expensive disagreements and litigation. John is a leader in his field and speaks frequently at local, regional and national conferences and events.

### Experience & Results

- Provided representation to the family owners of a commercial ship chartering company for over two years as the company and guarantors attempted to negotiate a resolution to over \$40 million in defaulted loans. Negotiations resulted in the filing of a "pre-packaged" Chapter 11 restructuring plan that was confirmed by the court. With more favorable restructuring terms, the company successfully complied with the plan requirements.
- The firm acts as general insolvency counsel to a U.S.-based shipbuilding and chartering enterprise operating more than 300 oil and gas supply and service ships world-wide. We frequently defend the client when it has been alleged to have received an avoidable transfer. To date, over \$2 million in alleged claims have been withdrawn or favorably resolved.
- Representation of senior secured lender in a complex and contentious Chapter 11 proceeding for a dairy in Washington State. Prior to a contested confirmation hearing, the Debtors proposed acceptable treatment for the client's secured claims. The plans for the operating entity and owners were then confirmed.
- Ongoing representation of national agricultural lender, assisting with managing troubled borrow accounts ranging in size from \$5,000,000 to \$150,000,000
- Represented senior secured lender owed over \$100,000,000 with successful debt realization issues on significant urban condominium tower project
- Assisted major national transportation firm with complex issues associated with insolvency of related party including valuation, claims resolution and eventual sale of enterprise
- Represented 75% equity owner of regional grocer as to all issues arising within grocer's multi-store Chapter 11
- Assisted multi-family property management enterprise with complete out-of-court restructuring of over \$200,000,000 of secured debt involving 73 apartment buildings
- Assisted regional investment advisory firm with services associated with involuntary bankruptcies of several related investment funds

- Active mediator in commercial insolvency and litigation matters

## Education

- University of Colorado (B.A., 1976)
- Seattle University School of Law (J.D., 1979)
- Hudson Institute of Coaching (Certification, 2014)

## Admissions

- Washington
- Oregon
- US District Court, Western District of Washington
- US District Court, Eastern District of Washington
- US Bankruptcy Court, Western Washington
- US Bankruptcy Court, Eastern Washington
- US Court of Appeals, Ninth Circuit
- US Bankruptcy Court for the District of Oregon
- US District Court for the District of Oregon

## Awards/Honors and Organizational Memberships

- Top Ranked in Washington State by *Chambers USA* in the area of Bankruptcy/Restructuring since 2010
- Listed in *The Best Lawyers in America*® in Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law since 2011
- Listed in *The Best Lawyers in America*® in Corporate Law since 2011
- Listed in *The Best Lawyers in America*® in Litigation - Bankruptcy since 2011
- Top Lawyer - Bankruptcy Award Recipient, *Seattle Magazine*
- Top Lawyer - Bankruptcy Award Recipient, *Seattle Metropolitan Magazine*
- Named on the Washington Super Lawyers - Bankruptcy list by *Super Lawyers*® Magazine since 2000
- Named on the Top 100 Washington Super Lawyers list by *Super Lawyers*® Magazine
- Top Business Lawyer - Bankruptcy and Creditor-Debtor Rights Law Award Recipient, *Seattle Business*
- Honorary Turnaround, Restructuring, and Distressed Investing Industry Hall of Fame Award Recipient, 2008, Turnaround Management Association
- Martindale-Hubbell Peer Review Rated AV® Preeminent 5.0 out of 5

## Professional Associations:

- Mackrell International, Member
- King County Bar Association, Member
- Turnaround Management Association, Member (1996-present)
- Washington State Bar Association's Creditor Debtor Rights Section, Past Executive Committee Chair, Member
- Bankruptcy Bar Association Eastern District of Washington, Member
- US Bankruptcy Court, Western District of Washington, Mediation Program, Past Executive Committee Chair and Panel Mediator
- US Bankruptcy Court, Eastern District of Washington, Local Rules Committee Member (2018-2020)
- King County Bar Foundation, Former Member, Board of Trustees (2010-2012)
- Turnaround Management Association, Past Chapter Director and President (1996-1998) and Global Director, Officer, President and Chairman (1997-2005)

## Publications/Speaking Engagements

- Co-author, "*PACA, Agricultural and Related Lien Rights in Oregon and Washington.*" Turnaround Management Association's Cross-Border Conference, Seattle, WA, September 13, 2013
- Panelist, "*OMG! My Collateral is Alive! Understanding Agricultural Workouts and Insolvencies.*" Turnaround Management Association's Cross-Border Conference, Seattle, WA, September 13, 2013
- Panelist, "*Judge's Panel: Alternative Dispute Resolution - The Judge's View.*" Turnaround Management Association," Portland, OR, April 11, 2013
- Speaker, "*Rainmaking: Business Development for the Next Generation.*" Annual Turnaround Management Association Convention, San Diego, CA, October 26, 2011
- Co-author, "*Enforcing Creditors' Rights in China.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, October 27, 2009
- Co-author, "*The Continuing Saga of Clear Channel: Alternatives to Section 363 Sales.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, April 16, 2009
- Co-author, "*Bankruptcy Appeals 101.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, November 19, 2008
- Co-author, "*Letters of Credit Given as Lease Deposits May Yield Cash in Chapter 11.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, July 24, 2008
- Co-author, "*When Payroll Gets Personal - Executives, Directors Risk Personal Liability for Unpaid Wages.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, April 10, 2008
- Author, "*Why Should We Hire You? Tips for Interviewing with Small to Mid-Sized Companies.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, October 1, 2007
- Author, "*In Re Refco: A Roadmap for Post-BAPCPA Creditors' Committees.*" The Turnaround Management Association's *The Journal of Corporate Renewal*, February 1, 2007
- Speaker, "*The Bankruptcy Abuse Prevention & Consumer Protection Act of 2005: Now What?*" Sponsored by the Washington State Bar Association, Seattle, WA, June 17, 2005
- Speaker, "*Where We Have Been, Where We Are and Where We Are Going.*" Sponsored by Turnaround Management Association, Scottsdale, AZ, April 2005
- Contributing Editor, "*Body of Knowledge – Legal.*" Association of Certified Turnaround Practitioners (ACTP), 2005
- Speaker, "*The Clock is Ticking.*" Annual Turnaround Management Association Conference, San Francisco, CA, September 24, 2003

- Speaker, "*Advising the Family Agribusiness.*" Sponsored by the Washington State Bar Association, Seattle, WA, April 27, 2002
- Speaker, "*8th Annual Fall Real Estate Conference.*" Sponsored by Washington State Bar Association, Seattle, WA, November 30, 2001
- Speaker, "*TMA Cross-Border Conference.*" Sponsored by Turnaround Management Association, Whistler, B.C., September 13-16, 2001  
\*Awarded: Outstanding Contribution as Program Chair, 2000-2001
- Speaker, "*Letters of Credit in Commercial Lease Settings and The Related Rights of A Bankruptcy Estate.*" 8th Annual Fall Real Estate Conference. Sponsored by the Washington State Bar Association, November 30, 2001
- Speaker, "*Prebankruptcy Planning for the Agribusiness Executive.*" Advising the Family Agribusiness. Washington State Bar Association, CLE