



## **C. Daniel Motsinger**

### **Partner**

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Mr. Motsinger's experience in creditors' rights, bankruptcy and commercial law spans more than 30 years. He chairs the firm's Creditors' Rights/Bankruptcy Practice Group. Mr. Motsinger is certified in Business Bankruptcy by the [American Board of Certification](#) of Bankruptcy and Creditors' Rights Attorneys\* and was the 2011 Chair of the Board of Directors of that organization, of which he now is an Emeritus Director. He has represented creditors, debtors and investors in litigation and bankruptcy cases throughout the United States. Mr. Motsinger testified before the Congressionally-appointed National Bankruptcy Review Commission in 1997. He served as a judicial clerk to U.S. District Judge James Lawrence King in Miami, Florida, and as a judicial intern and research assistant to the Administrative Assistant to the Chief Justice, Supreme Court of the United States.

### **PRACTICE AND INDUSTRY TEAMS**

- Appellate
- Business, Acquisitions & Securities
- Creditors' Rights and Bankruptcy
- Environmental
- Financial Institutions
- Gaming
- Litigation

### **REPRESENTATIVE EXPERIENCE**

- Represented major equipment lessor in Chapter 11 reorganization case of In re JIF Electric, Inc., Case No. 15-70030 (Bankr. W.D. Tex., Midland Div.)
- Represented senior secured creditor in Chapter 11 reorganization case of In re Orange County Environmental LLC, et al., Case No. 6:12-bk-16730-KSJ (Bankr. M.D. Fla., Orlando Div.)

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- Represented senior secured creditor in In re MNM Properties, LLC, Case No. 09 B 03491 (Bankr. N.D. Ill., Eastern Div.)
- Represented largest unsecured creditor (as chair of Official Committee of Unsecured Creditors) in In re Millers Cove Resources, Inc., Case No. 96 B 23041 (Bankr. N.D. Ill., Eastern Div.)
- Represented purchaser of a substantial portion of debtor's assets in In re Coach AmGroup Holdings Corp., Case No. 12-10010 (KG) (Bankr. D. Del.)
- Represented purchaser of a substantial portion of debtor's assets in In re Tefft Bridge & Iron LLC, Case No. 12-40140-reg-11 (Bankr. N.D. Ind., Hammond Div. at Lafayette)
- Represented largest unsecured creditor in In re Ellis, Case No. 10-16998-AJM-7A (Bankr. S.D. Ind., Indianapolis Div.), reported at 2011 WL 5147551 (October 27, 2011)
- Represented significant creditor in In re ATA Airlines, Inc., et al., Case No. 08-03675-BHL-11 (Bankr. S.D. Ind., Indianapolis Div.)
- Represented major creditors in In re Champ Car World Series, LLC, fdba Open Wheel Racing Series, LLC, fdba Corkscrewacquisitions, LLC, Case No. 08-02172-AJM-11 (Bankr. S.D. Ind., Indianapolis Div.)
- Represented purchaser of substantial portion of debtor's assets in In re Heartland Memorial Hospital, LLC, aka Illiana Surgery and Medical Center, LLC, et al., Case No. 07-20188-JPK-11 (Bankr. N.D. Ind., Hammond Div.)
- Represented major landlord in In re Winn-Dixie Stores, Inc., et al., Case No. 3:05-bk-03817-3F1 (Bankr. M.D. Fla., Jacksonville Div.)
- Represented major creditors In re ATA Holdings Corp., et al., Case No. 04-19866-BHL-11 (Bankr. S.D. Ind., Indianapolis Div.)
- Represented major secured lender in In re Burlington Motor Carriers, Inc., and Jolliff Transportation, Inc., Case No. 01-10409-AJM-7A (Bankr. S.D. Ind., Indianapolis Div.)
- Represented bond indenture trustee as creditor In re Heartland Steel, Inc., Case No. 01-80081-FJO-11 (Bankr. S.D. Ind., Terre Haute Div.)
- Represented senior secured lender in In re Paul Harris Stores, Inc., et al., Case No. 00-12467-BHL-11 (Bankr. S.D. Ind., Indianapolis Div.)
- Represented major creditor in In re Qualitech Steel Corporation, et al., Case No. 99-03364-AJM-11 (Bankr. S.D. Ind., Indianapolis Div.)
- Represented purchaser of substantial portion of debtors' assets in In re Sun TV and Appliances, Inc., and Sun Television and Appliances, Inc., Case No. 98-2107 (MFW) (Bankr. D. Del.)
- Represented debtor in successfully confirming Chapter 11 plan of reorganization in In re Stylus, Inc., Case No. SB-91-12053 MG (Bankr. C.D. Calif., San Bernardino Div.)

## EDUCATION

- University of Michigan Law School, Ann Arbor, Michigan (J.D., *cum laude*, 1982)
- Hillsdale College, Hillsdale, Michigan (A.B., *summa cum laude*, 1979) Co-Valedictorian

## BAR & COURT ADMISSIONS

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- Indiana, 1982
- Florida, 1983
- California, 1988
- Illinois, 2013
- U.S. District Court for the Northern District of Indiana, 1982
- U.S. District Court for the Southern District of Indiana, 1982
- U.S. District Court for the Middle District of Florida, 1983
- U.S. District Court for the Southern District of Florida, 1983
- U.S. District Court for the Northern District of California, 1987
- U.S. District Court for the Central District of California, 1988
- U.S. District Court for the Southern District of California, 1988
- U.S. District Court for the Eastern District of California, 1989
- U.S. District Court for the Northern District of Illinois, 2008
- U.S. Court of Appeals 9th Circuit, 1988
- U.S. Court of Appeals 7th Circuit, 1991
- U.S. Court of Appeals 11th Circuit, 2009
- Supreme Court of the United States, 2001

#### PROFESSIONAL ASSOCIATIONS

- [American Board of Certification](#) of Bankruptcy and Creditors' Rights Attorneys\* (Emeritus Director)
- American Bankruptcy Institute's Central States Bankruptcy Workshop Advisory Board (Member, 2008-2017)
- American Bankruptcy Institute (Member)
- American Bar Association (Member)
- Indianapolis Bar Association - Commercial Law & Bankruptcy Section (Member, Past Chair)
- Indiana State Bar Association - Creditors' Rights Section (Member)
- Indiana Association for Corporate Renewal (Member)

#### AWARDS AND RECOGNITIONS

- Indiana Super Lawyers, 2004-2019 (Top Fifty, 2009-2012; 2018-2019)
- Super Lawyers Business Edition, 2012, 2013, 2015
- Super Lawyers Corporate Counsel Edition, 2009, 2010
- Fellow, Indiana Bar Foundation
- Distinguished Fellow and Distinguished Life Fellow, Indianapolis Bar Foundation
- Martindale-Hubbell Peer Review Attorney Rating A-V Preeminent 4.9/5.0

#### CIVIC ACTIVITIES

- Indiana Supreme Court Commission on Character & Fitness for Admission to the Bar for Region IV (Member)
- The Historical Society of the U.S. District Court for the Southern District of Indiana, Inc.

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(Treasurer and Board Member)

- Neighborhood Advocacy Corporation, Treasurer and Board Member, 1996 – 2001
- Community Organizations Legal Assistance Project, Volunteer Lawyer, 1993 – 1997

### SEMINARS AND PRESENTATIONS

- "Recent Seventh Circuit Decisions on Preferential Transfers," Annual Bankruptcy Institute (ICLEF), 2017
- "Ethical Issues for Bankruptcy Practitioners," Annual Bankruptcy Institute (ICLEF), 2016
- "From the Creditor Perspective: Chapter 11 Plans," Annual Bankruptcy Institute (ICLEF), 2015
- "Critical Concepts for Avoiding Lender Liability (What All Lenders Should Know)," American Bankruptcy Institute's Central States Bankruptcy Workshop, 2015
- "Anything but Absolute: The Evolution of the Absolute Priority Rule in Individual and Corporate Cases," American Bankruptcy Institute's Caribbean Insolvency Symposium, 2014
- "In re Castleton Plaza, LP, 707 F.3d 821 (7th Cir. 2013): The Impact of the Seventh Circuit's Decision on Single-Asset Real Estate Reorganization Cases," Annual Bankruptcy Institute (ICLEF), 2013
- "Ethical Issues for Bankruptcy Practitioners," Annual Bankruptcy Institute (ICLEF), 2012
- "Ethical Considerations in Representing Banks and Borrowers," UCC & Commercial Transactions (ICLEF), 2012
- "'Burning Down the House': Mortgage Issues in Chapter 7 Cases," American Bankruptcy Institute's Central States Bankruptcy Workshop, 2012
- "Bankruptcy Considerations," Banking Litigation (Risk Management Association), 2012
- "Standing Issues in Bankruptcy (MERS and Special Servicers)," Annual Bankruptcy Institute (ICLEF), 2011
- "The Next (Tidal) Wave of Cases - Healthcare Restructuring and Insolvencies", American Bankruptcy Institute's Central States Bankruptcy Workshop, 2010
- "Ethical Considerations in Representing Banks", Banking Law and Regulation (ICLEF), 2010
- "Avoiding Professional Liability: Aiding and Abetting Client Wrong-doing and Other Liability Risks," American Bankruptcy Institute Central States Bankruptcy Workshop, 2007
- "Annual Bankruptcy Institute," Indiana Continuing Legal Education Forum (ICLEF), 2001-2008
- "Bankruptcy: A Creditor's Perspective in Indiana," Lorman Education Services, 2003-2006
- "Lender Liability: Bankruptcy Considerations," Lender Liability in Indiana, Lorman Education Services, April 2004
- "What Business Lawyers Need to Know about the Proposed Bankruptcy Reform Act", Indianapolis Bar Association Business Section, August, 2002
- "What the Business Lawyer Needs to Know About the Future Bankruptcy Reform Act", Business Law Institute, ICLEF, December, 2001
- "Lender Liability – Bankruptcy Considerations", Lender Liability in Indiana, Lorman Education Services, June, 1997
- "Chapter 11: Plan Drafting and Post-Confirmation Issues", American Bankruptcy Institute Central States Bankruptcy Workshop, June, 1997

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- "Judgment Enforcement: The Basics," Lorman Education Services, October, 1996
- "Nuts & Bolts of Enforcing Out-of-County, State and National Judgments in Indiana", Indianapolis Bar Association Commercial and Bankruptcy Section, March, 1995
- "Lien Priorities and Enforcement," Representing the Business Creditor, ICLEF, April, 1993
- "Mechanics Liens and Bankruptcy, " The Cambridge Institute, June, 1993

#### PUBLICATIONS

- "[Is the Debtor a Health Care Business.](#)" *NABTalk*, Winter 2014
- "Legal Underpinnings of Certification," *American Bankruptcy Institute Journal*, Vol. XXXII, No. 8, September 2013
- "Standing Issues in Bankruptcy (MERS and Special Servicers)," *Best of ABI 2012: The Year in Consumer Bankruptcy*, edited by Susan E. Hauser and Alane A. Becket, American Bankruptcy Institute, 2012
- "[Life in the Fire House: Representing Creditors In Bankruptcy Cases.](#)" *Inside the Minds: Bankruptcy Litigation and Dispute Resolution*, Aspatore Books, 2008
- "A Closer Look at Post-BAPCPA Trends," *Aspatore Thought Leadership: Bankruptcy and Restructuring Law 2008*, Aspatore Books, 2008
- "The Bankruptcy Reform Act of 1994: New Mines in the Minefield," *38 Res Gestae* 16, 1994

#### CERTIFICATIONS

- Board Certified - Business Bankruptcy - American Board of Certification\*
- The State Bar of California – Certified Legal Specialist: Business Bankruptcy Law (American Bd of Certification)

*\*The Supreme Court of Illinois does not recognize certifications of specialties in the practice of law and this certificate is not a requirement to practice law in Illinois*

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