



CHRISTOPHER A. JARVINEN

Partner

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Christopher Andrew Jarvinen is a partner of the Berger Singerman's Business Reorganization Team. His practice focuses on serving in leading roles in chapter 11 cases, chapter 15 cases and other cross-border insolvency matters, out-of-court restructurings and bankruptcy-related litigation. Mr. Jarvinen's extensive experience has equipped him to provide clients with value-added, cost-effective solutions for complex business and litigation problems arising in the context of financially-distressed situations and corporate restructurings.

Mr. Jarvinen has a particular interest and specialty in formulating tactical "play books" to provide clients with sets of strategies for protecting and enhancing their private property rights in the face of potential or actual bankruptcy filings. Mr. Jarvinen's practice also includes providing governance advice to companies, their boards and senior executives with respect to their fiduciary duties in relation to insolvency and other matters.

Immediately prior to rejoining Berger Singerman during 2019, Mr. Jarvinen was a partner with the Bankruptcy & Restructuring practice group of Richards Kibbe & Orbe LLP in New York. Earlier, before Mr. Jarvinen originally joined Berger Singerman in 2011, he was a partner with the Bankruptcy & Restructuring practice group at Hahn & Hessen LLP in New York. Earlier in his career, Mr. Jarvinen was an associate in New York with, respectively, the Bankruptcy & Corporate Reorganization practice group at Paul, Weiss, Rifkind, Wharton & Garrison LLP and the Business Restructuring & Reorganization at Kronish, Lieb, Weiner & Hellman, LLP (n/k/a Cooley LLP).

Publications

Christopher has authored or co-authored numerous articles that have been published in the United States,

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Europe and Latin America analyzing a wide range of restructuring issues. Christopher's publications include articles analyzing cross-border insolvencies and Chapter 15 of the US Bankruptcy Code in the New York Law Journal, current developments under Brazil's corporate bankruptcy and restructuring law in the course book for the Practising Law Institute's 30th Annual Current Developments in Bankruptcy & Reorganization, the impact of recent amendments to the US Bankruptcy Code on business bankruptcies in International Corporate Rescue, the treatment of claims in Chapter 11 cases made under "golden parachute" provisions in executive employment agreements in Norton's Annual Survey of Bankruptcy Law and a primer on key provisions of a Recuperação Judicial (Judicial Reorganization) and Recuperação Extrajudicial (Out-of-Court Reorganization) under Brazil's corporate insolvency statute in Norton's Annual Survey of Bankruptcy Law. Christopher's recent articles include:

- The Potential New Chapter 14 of the U.S. Bankruptcy Code – What Practitioners and Courts Need to Know, ABI JOURNAL (expected 2019)
- United States: Restructuring & Insolvency, The Legal 500 & The In-House Lawyer (3rd edition) (May, 2019)
- True-Sales: The Quest Continues to Create a Comprehensive Doctrine to Guide Investors, Creditors and the Courts, TMA-JOURNAL OF CORPORATE RENEWAL (October, 2018)
- Laboring in Pain: Excessive Protection of Labor Interests under Argentine Insolvency Law, ABI JOURNAL (July, 2016)
- A Primer on the Brazilian Bankruptcy and Restructuring Law, ABI JOURNAL (June, 2014)
- An Absolute Difference of Opinion: The Split of Authority Over Whether the "Absolute Priority Rule" Applies in Individual Chapter 11 Cases Under the United States Bankruptcy Code, 10 INTERNATIONAL CORPORATE RESCUE 382 (Vol. 10, Issue 6, 2013)
- Recent Developments Under the Brazilian Bankruptcy Law, BANKRUPTCY & REORGANIZATION 2013: CURRENT DEVELOPMENTS (Practising Law Institute, April, 2013)
- Brazil- Claims Presentation and Resolution in Insolvency Proceedings, TECHNICAL BOOK SERIES (INSOL, September, 2008)
- The Paradox of Chapter 15: Rigid on Access, Flexible on Relief, NEW YORK LAW JOURNAL (September 8, 2008)
- Current Developments Under the New Bankruptcy and Restructuring Law in Brazil, 30TH ANNUAL CURRENT DEVELOPMENTS IN BANKRUPTCY & REORGANIZATION (Practising Law Institute, April, 2008)

Presentations

- National Conference of Bankruptcy Judges (Washington, D.C.), "Recent Ethics Issues: An Update" (expected, October 31, 2019).
- University of Toronto (Toronto, Canada), "The Enterprise Bankruptcy Law of the People's Republic of China: An Introduction and Current Developments" (expected June 23, 2019).
- United States Embassy – Beijing American Center (Beijing, China), "What You Need To Know About Credit Default Swaps and Other Derivatives" (April, 2019).
- American Bankruptcy Institute (ABI) – Caribbean Insolvency Symposium (Grand Cayman, Cayman Islands), "Jay Alix v. McKinsey – Proper Disclosures by Professionals in Chapter 11 Cases" (January, 2019).
- A The Northern District of Florida Bankruptcy Bar Association, "A Primer on Credit Default Swaps and Recent Developments" (September, 2018).
- Instituto Brasileiro de Estudo de Empresas em Crise – III Colóquio de Recuperação de Empresas e Falência, "First Day Motions/Orders and Expectations of the Debtors During the Initial Stage of a Chapter 11 Case – The Sports Authority" (March 3, 2016).
- TMA Brasil 6th Annual Convention on Corporate Recovery and Turnaround, "A Humble Proposal for Revising the Brazilian Bankruptcy Code (Asset Sales, Cross Border Insolvencies & Other Matters)", São

- Paulo, Brazil (October, 2014).
- CBIZ/MHM Connections 2014, “The Foreign Corrupt Practices Act and Anti-Corruption Enforcement in the US and Abroad: What Does It Mean for You” (July, 2014).
 - History Miami, “Gaming in Florida: Betting Everything on Chapter 11” (April, 2014).
 - TMA Brasil 5th Annual Convention on Corporate Recovery and Turnaround, “Asset Sales in Corporate Restructurings in the U.S. and Brazil: Compliance With the U.S. Foreign Corrupt Practices Act and the New Brazilian Anti-Corruption Act,” São Paulo, Brazil (November 2013).
 - American Bankruptcy Institute (ABI) – Caribbean Insolvency Symposium, “Everything You Wanted to Know About Ethics But Were Afraid to Ask,” Miami, Florida (February 2013).
 - TMA Brasil 4th Annual Convention on Corporate Recovery and Turnaround, “Sale of Assets in Corporate Restructurings,” São Paulo, Brazil (October 2012).
 - Universidad Torcuato Di Tella, “Current Developments in Distressed Asset Sales,” Buenos Aires, Argentina (July 2012).
 - INSOL 2012, “Battle of ‘Restructuring Cultures’: Out-of- Court Restructuring vs Formal Proceedings in Latin America,” Miami, Florida (May 2012).
 - TMA Brasil 3rd Annual Convention on Corporate Recovery and Turnaround, “Special Situation Investing in the USA and in Latam,” São Paulo, Brazil (September 2011).
 - International Bar Association, “A Comparison of Pre-Packaged and Pre-Arranged Corporate Restructurings in Argentina, Brazil and the United States,” Buenos Aires, Argentina (September 2011).
 - “Comity and Chapter 15 -Benefits and Risks for Risk-Adverse Financial Clients” (New York, New York) (five presentations between April to May, 2011).
 - American Bankruptcy Institute (ABI) – Caribbean Insolvency Symposium, “The Indefatigable Intercreditor Agreement,” Grand Cayman, Cayman Islands (February 2011).
 - Instituto Argentino de Derecho Comercial – Third Interamerican Conference of Restructuring Professionals, “Transparency and the PACER System in the United States,” Buenos Aires, Argentina (November 2010).
 - Instituto Brasileiro de Estudo de Empresas em Crise, “Key Issues/Developments in Pre-Packaged, Pre-Arranged and Out-of-Court Restructurings in Brazil and the United States,” São Paulo, Brazil (September 2010).
 - “Intercreditor Agreements and Chapter 11 Corporate Restructurings,” New York, New York (April 2010).
 - Instituto Argentino de Derecho Comercial – Second Interamerican Conference of Restructuring Professionals, “El caso Madoff y la protección de los inversores en caso de acción revocatoria concursal internacional,” Buenos Aires, Argentina (April 2010).
 - American Bankruptcy Institute (ABI) – Caribbean Insolvency Symposium, “Cross-Border Issues: Madoff Goes Offshore,” Boca Raton, Florida (February 2010).

Education

J.D., Boston College Law School

MSc. in Major Programme Management, University of Oxford (Saïd Business School; Pembroke College)

PGDip in Entrepreneurship, University of Cambridge (Judge Business School) (attended)

PGDIP, OL (organisational leadership), *graduated with distinction*, University of Oxford (Saïd Business School), 2014

Global Executive MBA, Getulio Vargas Foundation, Graduate School of Business Administration (Fundação Getúlio Vargas, Escola de Administração de Empresas de São Paulo), São Paulo, Brazil

M.A. (Educational Philosophy), Teachers College of Columbia University (attended)

M.A., Yale University

M.T.S., Harvard University
A.B., Brown University

Bar Admissions

Florida
Massachusetts
New York
U.S. District Court, Northern, Middle and Southern Districts of Florida
U.S. District Court, Massachusetts
U.S. District Court, Eastern District of New York
U.S. District Court, Southern District of New York
U.S. Court of Appeals, First Circuit
U.S. Court of Appeals, Second Circuit
U.S. Court of Appeals, Eleventh Circuit

Practice Teams

Business Reorganization

Practice Areas

Bankruptcy-Related Litigation
Bankruptcy/Restructuring
Distressed M&A and Restructuring
Latin America & Caribbean Practice

Representative Matters

Christopher has served as debtor's counsel to large public and private companies, including:

- **Just One More Restaurant, Inc.** (Bankr. M.D. Fla.) – the owner of the intellectual property for the iconic “The Palm” – one of the most well-known steakhouse brands and high-end restaurant groups in the U.S. and Mexico.
- **Simply Fashion Stores, Ltd.** (Bankr. S.D. Fla.) – a retail chain of approximately 250 stores providing affordable clothing options for urban women.
- **Allen Systems Group, Inc.** (Bankr. D. Del.) – a global provider of mission-critical enterprise information technology solutions (*pre-filing bankruptcy counsel*).
- **Maguire Group Holdings, Inc.** (Bankr. S.D. Fla.) – a cross-border provider of architectural, engineering, planning, and construction management services.
- **Progressive Molded Products, Inc.** (Bankr. D. Del.) – a Canadian-based, international automotive interior subsystem supplier.
- **Interliant, Inc.** (Bankr. S.D.N.Y.) – a provider of information technology services.

Christopher has extensive experience representing official committees of unsecured creditors, including:

- **Goodman & Dominguez, Inc. (d/b/a “Traffic Shoes”)** (Bankr. S.D. Fla.) – a multi-regional retailer of women's shoes and apparel.
- **Stemtech International, Inc.** (Bankr. S.D. Fla.) – a direct-marketer of nutritional products.
- **PJ Finance Company, LLC** (Bankr. D. Del.) – the owner and operator of 33 residential apartment complexes located throughout the U.S.
- **Extended Stay Inc.** (Bankr. S.D.N.Y.) – an international chain of extended stay hotels.

- **Montgomery Ward, LLC** (Bankr. D. Del.) – a national retail chain.
- **Filene’s Basement, Inc.** (Bankr. D. Mass.) – a national retail chain.

Christopher’s significant receiver, chapter 11 trustee and plan trustee representations include:

- the plan trustee appointed in **Taylor, Bean & Whitaker Mortgage Corp.** (Bankr. M.D. Fla.) – the largest independent mortgage lender in the U.S.
- the court-appointed chapter 11 trustee in **Rothstein Rosenfeldt Adler P.A.** (Bankr. S.D. Fla.) – a law firm in which a Ponzi-scheme in excess of \$1.2 billion was run by Scott Rothstein through his operation of the debtor.
- the receiver in **Florida Gaming Centers, Inc.** (Bankr. S.D. Fla.) – a casino operator.
- the plan trustee appointed in **American Home Mortgage Holdings, Inc.** (Bankr. D. Del.) – the 10th largest U.S. originator, servicer, and seller of mortgage loans.

Christopher regularly represents major parties involved in chapter 15 ancillary cross-border cases, including:

- a party involved in a complex multi-jurisdictional litigation in **Banco Santos, S.A.** (Bankr. S.D. Fla.) – a Brazilian bank in liquidation that operated a Ponzi scheme.
- the secured lender in **World Financial Group, Inc.** (Bankr. S.D. Fla.) – a holding company formed in the BVI.
- a party in **Varig Logistica S.A.** (Bankr. S.D. Fla.) – a Brazilian company that was engaged in the business of providing cargo air support.
- a secured creditor in **Independência S.A.** (Bankr. S.D.N.Y.) – a Brazilian beef exporter.
- the secured creditor in **W.C. Wood Corp., Ltd.** (Bankr. D. Del.) – a Canadian manufacturer of refrigerators and other white goods.

Christopher has been in many other notable bankruptcy cases, including representing:

- a leading provider of integrated software, data, and analytics solutions in **Ditech Holding Corporation** (Bankr. S.D.N.Y.) – an independent servicer and originator of mortgage loans and servicer of reverse mortgage loans.
- the prepetition agent for the first-tier lending group in **One Aviation Corporation** (Bankr. D. Del.) – a company that designs and manufactures very light jets.
- the hotel condominium association in **Elcom Hotel & Spa, LLC** (Bankr. S.D. Fla.) – a five-star hotel and residential condominium complex.
- the secured creditor in **Decorator Industries, Inc.** (Bankr. S.D. Fla.) – a national designer, manufacturer, and retailer of interior furnishings.
- the secured creditor in **Maysville, Inc.** (Bankr. S.D. Fla.) – the owner of apartments and condominium complexes.
- a French hedge fund and a Canadian retirement fund in **SPhinX, Ltd.** (Bankr. S.D.N.Y.) – a hedge fund registered in the Cayman Islands.
- a corporation that had sold its automobile and industrial friction products business to a predecessor-in-interest of **Federal-Mogul Global, Inc.** (Bankr. D. Del.) - an international manufacturer of auto parts and systems.

Awards & Honors

- American College of Bankruptcy - Fellow
- International Insolvency Institute - Fellow
- American Law Institute - Member
- American Bar Foundation - Fellow
- Best Lawyer by *The Best Lawyers in America*® (2017-2018)
- Leading Individual in Bankruptcy/Restructuring by *Chambers USA: America's Leading Lawyers for Business*

(2014-2018)

- J. William Fulbright Scholarship Board (U.S. Department of State) – Senior Fulbright Specialist: Bankruptcy Law and Restructuring Research Center of the China University of Political Science and Law
- 11th Annual M&A Advisor Turnaround Awards - Served as debtors' counsel for, and won, the award for "Consumer Discretionary Deal of the Year" with respect to the chapter 11 bankruptcy case of Simply Fashion Stores, Ltd. (2017)
- 10th Annual M&A Advisor Turnaround Awards - Served as pre-filing debtors' counsel for, and won, the award for "Technology Restructuring of the Year" with respect to the chapter 11 bankruptcy case of Allen Systems Group, Inc. (2016)
- 7th Annual M&A Advisor Turnaround Awards - Served as lead counsel for, and won, the award for "Chapter 11 Reorganization of the Year (between \$10mm to \$250mm)" for reorganizing Maguire Group Holdings, Inc. (2013)
- National Conference of Bankruptcy Judges (NCBJ) - Class 2 of the "Next Generation Program" (2012)
- International Insolvency Institute (III) - Class I of the III "NextGen Leadership Program" (2012)

Community Activities / Associations

- Founder and Co-Chair of Claims Trading Committee, American Bankruptcy Institute
- Member of Advisory Board, American Bankruptcy Institute - New York City Bankruptcy Conference
- Member of Advisory Board, International Cross-Border Insolvency Program – New York
- Member of Organizing Committee (2006-Present) and Past Chair (2012-2015), American Bankruptcy Institute - Caribbean Insolvency Symposium
- Co-Founder, Current Member, TMA Brasil; Former Ambassador of TMA-Brasil to the TMA (U.S.)
- Former Official Liaison to the Ordem dos Advogados do Brasil, American Bar Association (2009-2011; 2013-2014)
- Former Board of Editors, International Corporate Rescue (2006-2017)
- Former Leadership Council, Harvard Divinity School (2010-2015)
- Member, Lambda Legal - Nonprofit national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and everyone living with HIV

Prior Affiliations

- Richards Kibbe & Orbe LLP (partner)
- Hahn & Hessen, LLP (partner)
- Paul, Weiss, Rifkind, Wharton & Garrison, LLP (senior associate)
- Kronish Lieb Weiner & Hellman, LLP (N/K/A Cooley LLP) (associate)

Publications

The Claims Trading Committee of the American Bankruptcy Institute, Recently Founded by Christopher Andrew Jarvinen, Publishes Its Inaugural Newsletter
June 27, 2019

American Bankruptcy Institute Claims Trading Committee, "Letter from the Co-Chairs"
June 19, 2019

The Legal 500 & The In-House Lawyer, "United States: Restructuring & Insolvency (3rd edition)"
May 9, 2019

Events & Speaking Engagements

Christopher Andrew Jarvinen to Serve on Host Committee of the American Bankruptcy Institute at the National Conference of Bankruptcy Judges in Washington, D.C.
October 7, 2019

Christopher Andrew Jarvinen to Speak at the National Conference of Bankruptcy Judges in Washington, D.C.
August 5, 2019

Berger Singerman Partner Christopher Andrew Jarvinen to Speak at U.S. Embassy in Beijing, China
April 15, 2019

In the News

Christopher Andrew Jarvinen to Serve on Host Committee of the American Bankruptcy Institute at the National Conference of Bankruptcy Judges in Washington, D.C.
October 7, 2019

Christopher Andrew Jarvinen to Speak at the National Conference of Bankruptcy Judges in Washington, D.C.
August 5, 2019

Christopher Andrew Jarvinen Serves as a Contributor to the World Bank Group's Doing Business 2020
July 11, 2019

Christopher Andrew Jarvinen Serves as a Judge for The M&A Advisor's 10th Annual Emerging Leaders Awards
June 20, 2019

Berger Singerman Partner Christopher Andrew Jarvinen Joins Advisory Board of the American Bankruptcy Institute's Cross-Border Insolvency Program
May 20, 2019

Berger Singerman Partner Christopher Andrew Jarvinen Served as a Discussant at The Jimen Insolvency and Restructuring Dialogue Focused on Consumer Bankruptcy
April 20, 2019

Berger Singerman Partner Christopher Andrew Jarvinen to Speak at U.S. Embassy in Beijing, China
April 15, 2019

Berger Singerman Partner Christopher Andrew Jarvinen Named Senior U.S. Fulbright Specialist in Law
March 18, 2019

Berger Singerman Expands Team With Addition of Christopher Andrew Jarvinen, Robin Rubens and Michael Niles
February 25, 2019

Rare quotes Christopher Jarvinen in, "A string of stores may be staring down the barrel of bankruptcy in 2018 — is your favorite on the list?"
January 2, 2018

CNBC quotes Christopher Jarvinen in, "Bankruptcies will continue to rock retail in 2018. Here's what you need to watch"
December 13, 2017

Law360 quotes Christopher Jarvinen in, "Holiday Season Won't Contain 'Retail Apocalypse'"
November 27, 2017

Reuters quotes Christopher Jarvinen in "In tough retail landscape, Payless emerges as rare bankruptcy survivor"
August 9, 2017

American College of Bankruptcy to Induct Christopher Jarvinen as New Fellow in 28th Class
March 10, 2017

Daily Business Review quotes Christopher Jarvinen on "It Really Worked: Opposing Firms Join Forces to Save a Business From Bankruptcy"
February 3, 2017

Christopher Andrew Jarvinen to Be Inducted into the American College of Bankruptcy
November 10, 2016

Daily Business Review mentions Paul Singerman and Christopher Jarvinen on "Attorneys, Court Expedite Bankruptcy of Women's Retailer"
June 29, 2016