



Ali M. M. Mojdehi

Partner

Practice Areas

Financial Restructuring, Creditors' Rights, and Bankruptcy

Practice Focus

Financial Restructurings and Reorganizations; Bankruptcy; and Insolvency.

Practice Description

Mr. Mojdehi is the managing partner of the San Diego office and chairs the Financial Restructuring, Creditors' Rights and Bankruptcy Practice Group in North America. His practice concentrates on the representation, both in and out of court, of a wide-range of clients, including financial institutions, debtors-in-possession, creditors, bondholders, third party purchasers or investors, creditors' committees, and trustees in varied and numerous bankruptcies, receiverships and workouts throughout the United States and cross-border insolvencies implicating the laws of multiple jurisdictions. Mr. Mojdehi's practice is distinctive in that he advises both debtors and creditors, as well as counseling boards on strategic transactions and restructurings.

Representative Clients, Cases or Matters

Representations in Mr. Mojdehi's practice concentration and in which he led the engagement are the following:

Debtor Bankruptcy Representations

- Representation of UPC Polska, a public holding company, with multiple issues of bond debt aggregating approximately \$1 billion, that through its wholly owned subsidiary own the largest cable company in Poland, in connection with its Chapter 11 case pending in the Southern District of New York.
- Representation of a multi-million dollar public manufacturer of vulcanized fibre and industrial laminated plastic sheets, rods and tubes with multiple issues of bond debt in its Chapter 11 case pending in Delaware.
- Representation of debtors-in-possession operating the largest airport shuttle service in Miami and San Diego.
- Representation of the independent members of the Board of Directors of a public holding company with multiple issues of bond debt that directly or through its wholly-owned subsidiary owned all or part of seven operating companies, during the holding company's Chapter 11 case.

Creditors' Committee Representation

- Representation of the creditors' committee in chapter 11 reorganization filed on June 29, 1998 by Geotek Communications and each of its 72 direct and indirect subsidiaries, in a case pending in Delaware. Geotek, together with its subsidiaries, holds FCC radio

frequency licenses to operate in over forty (40) U.S. markets and is the largest holder of 900 MHz frequency in the United States. Geotek is in various stages of operation of its networks in eleven major markets. The debtors' combined debt exceeds \$383 million, of which \$112 million is held by unsecured creditors.

- Representation of the Official Collateralized Investors' Committee of the Baptist Foundation of Arizona, Inc. and its affiliates (the "Debtors" or "BFA"). BFA and its 122 affiliates and subsidiaries filed Chapter 11 in the United States Court Bankruptcy for the District of Arizona. These cases involve in excess of \$640 million of secured and unsecured indebtedness, and over 7,000 creditors and investors. The demise of BFA and its affiliates is the largest single failure of a non-profit entity in the history of the United States, and is one of the largest and most complex bankruptcy proceedings ever to be commenced in the District of Arizona. The Committee represents the collective interests of approximately \$400 million in indebtedness held by over 9,000 investors.
- Representation of the creditor's committee in the chapter 11 reorganization of Rincon Island Limited Partnership. Rincon, together with its affiliate, Windsor Energy US Corporation, are multi-million dollar oil and gas production and exploration companies which own oil and gas properties in several oil and gas producing states, including California and Texas.
- Representation of the creditors' committee of a secondary mortgage broker with a portfolio of 450 loans and a face value in excess of \$200 million.
- Representation of the mechanic's lienholder creditors' committee in the chapter 11 case of the owner of a 280-acre project which consists of 96 residential lots, an 18-hole golf course, a clubhouse and tennis complex.

Secured Creditor Representation

- Representation of senior \$30 million secured lender in Chapter 11 case of the owner of a 900 acre project which consists of 145 residential lots, a 27-hole golf course, and a 20 acre hotel site.
- Representation of senior \$15 million secured lender in Chapter 11 case of the owner of a 40.7 acre project which consists of 23.5 useable acres of retail, hotel and residential sites.
- Representation of one of the largest secured creditors in a case involving a Taco Bell franchisee with in excess of 50 stores.

Third Party Investor/Purchaser Representation

- Representation of New York Stock Exchange listed company in multi-million dollar acquisition of transportation company out of bankruptcy.
- Representation of multi-billion dollar technology and engineering company in multiple multi-million dollar acquisitions of diverse high technology companies out of bankruptcy.
- Representation of privately-held manufacturing company in multi-million dollar acquisition of food product manufacturing company out of bankruptcy.

Transactional Matters

- True sale and consolidation opinions given in connection with multimillion-dollar securitization transactions.
- Bankruptcy opinion given in connection with multimillion dollar repo financing transaction.

Publications, Presentations & Articles

Mr. Mojdehi regularly lectures to bar and lay groups and serves as a panelist on bankruptcy law for the Continuing Legal Education Programs of the University of San Diego School of Law and as Adjunct Professor of Law at Thomas Jefferson School of Law. He is the author of several publications including: "Prepare for the Worst and Hope for the Best," Inside the Minds: Structuring and Negotiating Reorganization Plans, co-authored with David W. Parham (2006); The Implicit "Good Faith" Requirement In Chapter 11 Liquidations: A Rule in Search of a Rationale?, co-authored with Janet D. Gertz, 14 Am. Bankr. Inst. L. Rev. 143 (2006); Settlement Payments Exempted From Avoidance: Payments for Illegally Unregistered Securities Are Not 'Settlement Payments' Under 11 U.S.C. § 741(8), co-authored with Janet D. Gertz, The Bankruptcy Strategist Vol. 22 No. 7 (June 2005); Appraising Postconfirmation Leaders: The Underutilized Confirmation Requirement, 2 Am. Bankr. L.J., 77 (2003); Oil and Gas Liens in California, 25 Cal. Bankr. J. 366 (2000); Uniform Commercial Code § 9-401 – Perfection of Security Interests in Minerals, Including Oil and Gas, Requires Real Estate Filing in Oklahoma, 17 Tulsa L.J. 171 (1981); and Ownership Rights in Subsurface Natural Gas Storage Areas, 16 Tulsa L.J. 470 (1981).

Professional Affiliations

Mr. Mojdehi is a member of the American Bar Association (Subcommittee on Chapter 11, Subcommittee on Sections 361-364 and Business Ethics Subcommittee, Section of Corporation, Legal Banking and Business Law) and served on the Board of the California Bankruptcy Forum. He is a former member of the Bankruptcy Rules and Practice Committee of United States Bankruptcy Court, District of Delaware and served as Chair of the Chapter 11 Rules Review Committee of United States Bankruptcy Court, Southern District of California. Mr. Mojdehi is also a member of the State Bars of Oklahoma and California. In addition, Mr. Mojdehi is a member of the Board of Trustees for The Bishop's School.

Education & Bar Admittance

Mr. Mojdehi was admitted to practice in Oklahoma in 1982 and California in 1986. He received his legal education at the University of Tulsa (J.D., 1982), where he was a member of Phi Delta Phi and the Articles Editor (1981-82) for the Tulsa Law Journal. Mr. Mojdehi received his undergraduate education at the College of William and Mary (B.A., 1978).

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