

# COHEN, TODD, KITE & STANFORD, LLC

## ATTORNEYS AT LAW

### DONALD W. MALLORY, Member

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#### PROFESSIONAL EXPERIENCE

Don Mallory's practice focuses in the areas of insolvency, debtors' and creditors' rights, bankruptcy reorganizations, out-of-court workouts, receiverships, financial and organizational corporate restructurings, and general corporate law. He has appeared and argued extensively in federal courts throughout the United States on a wide range of issues including appellate related litigation. Don has negotiated complex settlement agreements concerning labor, mass tort, and environmental claims. He has also negotiated operational and

supply contracts for manufacturing concerns. Don assists in mergers and acquisitions and franchise issues. He previously was a Certified Public Accountant (inactive).

#### PRACTICE AREAS

##### Business & Commercial Law

- Commercial Finance

##### Business Restructuring, Bankruptcy & Creditors Rights

#### BAR ADMISSIONS

- Ohio, 1999
- Kentucky, 2001
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Western District of Kentucky
- U.S. Supreme Court
- U.S. Tax Court

#### EDUCATION

- J.D., Salmon P. Chase College of Law, magna cum laude, 1999
- B.A., University of Cincinnati, 1995

#### REPRESENTATIVE LEGAL WORK

- Represents debtors, secured lenders, credit unions, trustees, and unsecured creditors in proceedings under chapters 7, 11 and 13 of the United States Bankruptcy Code and in state related insolvency proceedings such as Assignments for the Benefit of Creditors.
- Prepares filings, schedules, motions, answers, discovery and responses thereto, disclosure statements, and plans of reorganization.

- Acts as lead counsel during scheduled hearings and conferences regarding case administration, contested matters, confirmation hearings and adversary proceedings.
- Drafts complaints relating to fraudulent transfers, preferential transfers, and non-dischargeability actions, and defends clients subject to such claims.
- Negotiates and drafts complex contracts, loan documents, leases, SNDA agreements, non-compete agreements, and settlement agreements.
- Mediates and negotiates labor disputes, mass tort and environmental claims.
- Represents creditors in the collection of secured and unsecured debts and utilized garnishments, certified judgments, receiverships, foreclosures and replevins to effectuate same.
- Appears and argues extensively in different federal and state courts on a wide range of issues including appellate litigation.
- Provides proactive legal advice relating to corporate law and litigation avoidance to clients' senior management.

### **PRESENTATIONS/ARTICLES**

- "Overview of Chapter 15 of the U.S. Bankruptcy Code – Cross Border Insolvencies", published May 2009

### **LANGUAGES**

- German

### **PROFESSIONAL ASSOCIATIONS**

- Ohio State Bar Association
- Cincinnati Bar Association
- Kentucky Bar Association
- American Bar Association

### **AWARDS**

- Best Lawyers in America, 2017-2018
- Super Lawyers, 2017

