



PAUL BAYNARD
 Principal, Charlotte Office

PRACTICE AREAS

- Alternative Dispute Resolution
- Bankruptcy Litigation
- Business Law and Transactions
- Creditors' Rights, Reorganization and Bankruptcy
- Distressed Real Estate

SPEAKING ENGAGEMENTS

- "Chapter 11 Bankruptcies: An Overview of Selected Topics," A CLE presentation for the North Carolina Bar Association Foundation, September 2006

PRACTICE FOCUS

Paul Baynard represents business entities as corporate counsel, interim general counsel and outside general counsel in a broad range of corporate services, bankruptcy matters and mediation and alternative dispute resolution.

In his corporate practice, utilizing both his law degree and his MBA, Mr. Baynard represents entrepreneurial companies, start-ups, lower middle market corporations and family-owned businesses in an array of corporate matters, including financing with secured lenders, transactions involving mergers and acquisitions, negotiations of contracts and other agreements, the preparation of formation and corporate governance documents and business litigation proceedings.

Mr. Baynard's business bankruptcy practice is focused on the representation of debtors and creditors (secured and unsecured) and in matters involving corporate workouts, financial reorganizations and business bankruptcies under Chapter 7 and Chapter 11 of the Bankruptcy Code. He has represented unsecured creditors' committees in business bankruptcy cases and parties in preference and fraudulent transfer actions.

Mr. Baynard is certified to conduct mediated settlement conferences in the Superior Courts of North Carolina by the North Carolina Dispute Resolution Commission.

Paul Baynard has been named a "Legal Elite" by *Business North Carolina* magazine for Bankruptcy Law, has been selected as a "Super Lawyer" in Bankruptcy Law by *North Carolina Super Lawyers* magazine and has been recognized by The Best Lawyers in America® in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law.

REPRESENTATIVE MATTERS

CORPORATE LAW

- Served as the interim general counsel for a manufacturing corporation that has 38 locations across 15 states employing approximately 3,000 people.
- Drafted formation and governance documents for start-up business ventures and prepared amendments to these documents as these corporate entities grew and expanded.
- Represented numerous business entities in obtaining financing and represented companies in loan modification agreements.
- Represented businesses in mergers and acquisitions, including both buy-side and sell-side sale transactions.
- Negotiated on behalf of clients in connection with contracts and other agreements.
- Represented businesses in commercial litigation proceedings, particularly in disputes with financial institutions.

BANKRUPTCY LAW

- *In re: Portrait Innovations, Inc. et al.* (Western District of North Carolina) - Represented the Debtor in obtaining a confirmed Chapter 11 plan of reorganization for a national professional portrait studio operator with over 119 studios in 31 states.
- *In re: Hendricks Furniture Group, LLC, et al.* (Western District of North Carolina) - Represented the Debtor in obtaining a confirmed Chapter 11 plan of reorganization for a retailer of furniture and home accessories.
- *In re: Plej's Linen Supermarket SoEast Stores, LLC, et al.* (Western District North Carolina) - Represented the Debtor in obtaining a confirmed Chapter 11 plan of reorganization for a regional retainer of linens and home accessories with approximately 38 stores.
- *In re: E-Z Serve Convenience Stores, Inc., et al.* (Middle District of North Carolina) - Represented the Debtor in the filing of this Chapter 11 liquidation of a convenience store chain that once operated in more than 600 locations.
- *In re: Bon Worth, Inc.* (Western District of North Carolina) - Represented the Debtor in the sale under Section 363 of the Bankruptcy Code of a women's retail clothing store chain with approximately 50 locations.
- *In re: Burch Company* (Western District of North Carolina) - Represented a secured lender that

provided post-petition financing to a Chapter 11 debtor that had assets that consisted primarily of intellectual property.

- *In re: J.A. Jones, Inc., et al.* (Western District of North Carolina) – Served as local counsel to the Creditors Committee in a case involving a large construction conglomerate in their Chapter 11 liquidation.
- *In re: RFS Escuta Inc., et al.* (Western District of North Carolina) – Served as local counsel to the Creditors Committee in a case involving a paper mill in its Chapter 11 liquidation.
- *In re: Petition of Richter & Partners as Monitor and Interim Receiver of Cavalier Specialty Yarn Inc., et al.* (Western District of North Carolina) – Represented the Canadian receiver appointed in a Canadian insolvency proceeding in an ancillary case under the former Section 304 of the Bankruptcy Code involving a textile manufacturing facility in Gaston County, North Carolina.

POINTS OF DISTINCTION

- Best Lawyers in America, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2016-2023

ACTIVITIES

- North Carolina State Bar
- North Carolina Bar Association: Chairman, Business Bankruptcy Committee, Bankruptcy Section, 2001-2004
- Mecklenburg County Bar Association
- Turnaround Management Association: Board of Directors, Carolinas Chapter, 1999-2003
- State Bar of Georgia
- American Bankruptcy Institute (ABI)

EDUCATION

- J.D., University of North Carolina School of Law
- M.B.A., University of North Carolina
- B.A., Davidson College

ADMISSIONS

- North Carolina
- North Carolina State Courts
- U.S. District Court for the Western District of North Carolina
- U.S. District Court for the Middle District of North Carolina
- U.S. District Court for the Eastern District of North Carolina
- U.S. Court of Appeals for the 4th and 11th Circuits
- Georgia
- Georgia State Courts
- U.S. District Court for the Northern District of Georgia

AWARDS

