



## Christopher D. Johnson

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Christopher D. Johnson joined Diamond McCarthy in 2001. He has extensive experience in the area of debt restructuring and corporate reorganizations. He has served as counsel for debtors, official committees of unsecured creditors, chapter 7 and 11 trustees, liquidating trustees, and creditors in both bankruptcy proceedings and out-of-court restructurings in industries, such as the airline, healthcare, and manufacturing industries. Chris has prosecuted and defended numerous avoidance actions and other bankruptcy litigation matters.

His representative cases and matters include the following:

### **Debtor Representation:**

- Lead associate in the chapter 11 bankruptcy case of AFG Pacific Properties, Inc. Chris was the primary associate representing a real estate developer seeking to refinance secured debt. The case required litigation with various parties asserting claims against the estate, and the negotiation of a plan of reorganization to refinance the secured debt, and the eventual sale of the real estate.
- Lead associate in the chapter 11 bankruptcy cases of Coraza Systems, Inc. and four (4) affiliates ("Coraza"). Coraza and its affiliates manufactured electronic support equipment in several U.S. states, Mexico, Scotland, and Southeast Asia. The case required attention to cross-border insolvency issues, as well as the negotiation with several parties regarding sales of the debtors' assets under 11 U.S.C. § 363.
- Lead associate in the representation of Dinastia, L.P. and three (3) affiliates. Chris was responsible for the pre-bankruptcy negotiation of a sale of all assets to a stalking horse bidder as well as the preparation and filing of a chapter 11 and plan of reorganization. The case involved cross-border insolvency issues and the coordination of a simultaneous filing of affiliated Mexican corporations in Mexico.
- Lead associate in the chapter 11 bankruptcy case of Mustang Athletic Corp. The case involved restructuring secured obligations and litigation with the major secured creditor in order to reach a consensus on a plan of reorganization.
- Lead counsel in the chapter 7 bankruptcy case of U.S. Affordable Homes Corporation involving the liquidation of a commercial homebuilder.
- Lead counsel in the state-court restructuring and sale of a manufacturing business in Texas. The case required negotiation of a sale with the eventual purchaser and the approval of the sale and eventual wind-down of the company through a state court receivership.

### **Location:**

Houston, Texas

### **Education:**

University of Texas, El Paso  
B.S., 1987

South Texas

College of Law, 1999

### **Areas of Practice:**

Debt Restructuring  
Corporate Reorganization

### **Admitted to Practice:**

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### Committee Representation:

- Lead counsel to the Official Committee of Unsecured Creditors of Goldstar Emergency Medical Services, Inc., one of the largest ambulance operations in Texas. The case required, among other issues, an analysis of Medicare/Medicaid accounts receivable as a major component of recovery for unsecured creditors.
- Lead associate to the Official Committee of Unsecured Creditors of Kitty Hawk, Inc. and eleven (11) affiliated companies in a chapter 11 reorganization case. The major issue for the Committee and its counsel was the negotiation and settlement with bondholders, secured creditors and the debtors of fraudulent transfer claims.

### Trustee Representation:

- Counsel to the chapter 7 trustee of the estate of Newell Industries, Inc. Responsible for assisting the trustee in litigation with administrative creditors and winding down the estate.
- Assisted with the representation of the chapter 7 trustee of the estates of Precept Business Services, Inc. and its affiliates. Responsible for prosecuting numerous adversary proceedings on behalf of the trustee to recover assets for creditors.

### Creditor Representation:

- Counsel to Mercury Air Group, Inc. defending against a \$1,000,000.00 preference claim filed in *In re Shuttle America Corporation*. The case required an analysis of all potential defenses and the eventual settlement with the bankruptcy trustee.
- Counsel to Brake & Wheel Parts Industries, Inc. defending against a preference claim filed in *In re Transcom USA Management Co., et al.* The case required an analysis of all potential defenses and the eventual settlement with the bankruptcy trustee.
- Counsel to Health Service Consultants, Inc. defending against a preference claim filed in *In re Senior Living Properties LLC, et al.* The case required an analysis of all potential defenses and the eventual settlement with the bankruptcy trustee.

Chris received his J.D. from South Texas College of Law (1999) and his B.S. from University of Texas at El Paso (1987). He is licensed in the United States Fifth Circuit Court of Appeals as well as the United States District Courts for the Southern, Northern, Eastern and Western Districts of Texas. Chris is a member of the State Bar of Texas, the American Bankruptcy Institute, the American Bar Association, the Bankruptcy Section of the Houston Bar Association, and the Arthur H. Moller / David B. Foltz, Jr. American Inns of Court.

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Texas Monthly magazine has named Chris a "Texas Rising Star," a distinction reserved for the top 2.5% of Texas attorneys who are under 40 years of age or have been practicing law less than 10 years.

**Reported decisions include the following:**

*Camden Iron & Metals, Inc. v. Krafsur (In re Newell Industries, Inc.)*, 336 F.3d. 446 (5th Cir. 2003).

**Published materials include the following:**

"Stalking Horse Bid Protections: Is It Getting Harder To Have Your Cake And Eat It, Too?" *Financier Worldwide*, June 2005.

Prior to going to law school, Chris served as an officer and pilot in the United States Army from 1987 until 1995 where he held various command and staff positions.

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