



Education

The University of Texas at Austin (*with highest honors*, 1983)

The University of Texas School of Law (1986)

The University of Texas at Austin (M.B.A., 1986)

Areas of Practice:

Business Insolvency & Restructuring

Complex & High-Stakes Litigation

- Securities & Regulatory
- Financial Institution Litigation
- Bankruptcy, Third Party & Professional Liability

Admitted to Practice:

Texas

ARLEY "TRIP" D. FINLEY

Partner Emeritus

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Arley "Trip" D. Finley is a founding partner of Diamond McCarthy. Trip represents parties in a wide variety of financial disputes, including matters involving securities fraud, lender liability, fraudulent transfer and bankruptcy litigation.

Trip also handles transactional matters – such as acquiring assets in bankruptcy, structuring business transactions to reduce bankruptcy risks and negotiating business solutions to avoid bankruptcy – that often arise in financially distressed situations.

He served as lead bankruptcy counsel to more than 400 Mexican nationals in connection with \$350 million in claims arising out of the financial collapse of the Inverworld-related investment companies. Other career highlights include representing the partnership comprised of former creditors of the Zale and Gordon bankruptcy estates in all of its litigation matters, and representation of the estates of two of the country's largest bank holding companies, MCorp and Southeast Bank, in their bankruptcy proceedings.

Trip is a member of the American Bar Association, the State Bar of Texas, Travis County Bar Association and the American Bankruptcy Institute.

Representative Cases

- Representation of a group of more than 400 Mexican nationals in connection with claims arising out of the financial collapse of the Inverworld related investment companies. He serves as lead bankruptcy counsel for the group and also serves as a member of the Ad Hoc Creditors Committee Steering Committee. Investors/creditors in these proceedings have suffered losses in excess of \$350 million.
- Representation of the Official Committee of Unsecured Creditors of Livent, Inc., producers of Broadway musicals such as Ragtime, Fosse and Phantom of the Opera, in the prosecution of an equitable subordination action against the company's lead lender.
- Representation of Jewel Recovery, L.P., the partnership comprised of former creditors of the Zale and Gordon bankruptcy estates, in all of its litigation matters including officer and director liability matters, fraudulent transfer litigation arising out of Zale's leveraged buy-out of Gordon Jewelry and various professional malpractice and negligence claims.

- Representation of the estates of two of the country's largest bank holding companies, MCorp and Southeast Bank, in their Chapter 11 and Chapter 7 bankruptcies, respectively.
- Representation of numerous high tech companies in Austin and throughout the State of Texas. Recent projects include (1) coordinating numerous out-of-court workouts and debt restructurings, (2) assisting management in the wind-up of business affairs (whether through bankruptcy or dissolution proceedings), (3) counseling companies in the sale or purchase of assets in financial distress situations, and (4) providing litigation support for a wide variety of financial distress based problems.
- Represented Austin partner of Brobeck in Brobeck dissolution disputes.