



## Gianfranco Finizio

### Partner

The Grace Building  
1114 Avenue of the Americas, New York, NY USA 10036  
t 212.775.8840 | f 646.786.4442  
gfinizio@ktslaw.com

### Services

Bankruptcy & Financial  
Restructuring  
Litigation

### Industries

Financial Services  
Retail & Consumer Goods

Gianfranco Finizio focuses his practice on bankruptcy and insolvency matters. Mr. Finizio has experience representing, among other parties in interest, official committees of unsecured creditors, whose members include trade creditors, service providers, bondholders, indenture trustees, unsecured lenders, landlords and class action plaintiffs in all facets of insolvency proceedings.

Prior to joining the firm, Mr. Finizio worked as an associate at a New York, New York law firm where his practice focused on bankruptcy, creditors' rights and restructuring law. While attending law school, Mr. Finizio served as a judicial intern to the Honorable Stephen A. Bucaria in the New York Supreme Court. He was also a staff member of the *American Bankruptcy Institute Law Review*.

Mr. Finizio was listed in the 2021, 2022 and 2023 editions of *Chambers USA: America's Leading Lawyers for Business* in the area of Bankruptcy/Restructuring. He was recognized as a New York "Rising Star" in 2024 and the nine years immediately preceding for Business Bankruptcy by *Super Lawyers* magazine. Mr. Finizio was also recognized in 2023 as a "Rising Star" by American Lawyer's *New York Law Journal*. He was honored by the American Bankruptcy Institute (ABI) in 2022 as one of its "40 Under 40" Emerging Leaders for his Insolvency Practice.

### Experience

Currently represent the official committee of unsecured creditors in chapter 11 case of clinical-stage biopharmaceutical company with approximately \$40 million in debt. *In re Humanigen, Inc.* (Bankr. D. Del.).

Currently represent indenture trustee for approximately \$109 million of second lien notes in chapter 11 cases of leading manufacturer of foil balloons and inflated décor. *In re Anagram Holdings, LLC* (Bankr. S.D. Tex.).

Represented first lien term loan agent in chapter 11 cases of national medical group with over \$5 billion in debt, making it one of the largest healthcare bankruptcy cases on record. *In re Envision Healthcare Corporation*



(Bankr. S.D. Tex.).

Represented the official committee of unsecured creditors in chapter 11 cases of developer, manufacturer, and distributor of pharmaceuticals with over \$650 million in debt. *In re Lannett Company, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors of one of the largest Burger King franchisees with approximately 120 restaurants located throughout the United States and \$100 million in secured and unsecured debt. *In re TOMS King (Ohio) LLC, et al.* (N.D. Ohio).

Represented indenture trustee for approximately \$475 million in unsecured notes in cases involving owner of 638-mile-long natural gas pipeline. The indenture trustee is a member of the official committee of unsecured creditors. *In re Ruby Pipeline, L.L.C.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors for airline parts manufacturer with approximately \$50 million in secured debt and approximately \$35 million in unsecured debt. Following an investigation into the secured lenders liens and other potential estate claims, the committee negotiated a global settlement that provided for, among other things, a cash recovery for unsecured creditors and the establishment of a litigation trust to pursue potential insider claims for the benefit of the secured lender and unsecured creditors. *In re TECT Aerospace Group Holdings, Inc.* (Bankr. D. Del.).

Represented indenture trustee for over \$720 million in unsecured notes of one of the largest mall operators with over \$3 billion in debt. *In re Washington Prime Group Inc.* (Bankr. S.D. Tex.).

Represented the official committee of unsecured creditors in chapter 11 cases of yoga business with over 60 locations across the United States and approximately \$10 million in secured debt. Following a sale of the debtors' assets, the debtors and the creditors' committee filed a joint chapter 11 plan that provided a cash return to unsecured creditors. *In re YogaWorks, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors in chapter 11 cases of iconic fitness brand Golds Gym, which owns, operates, and holds franchise agreements for nearly 700 locations worldwide. Following the creditors' committees request that the debtors conduct a postpetition marketing process, the debtors consummated a \$100 million sale at the height of the COVID-19 pandemic that is projected to provide unsecured creditors with a 100% recovery, plus interest. *In re GGI Holdings, LLC* (Bankr. N.D. Tex.).

Represented the official committee of unsecured creditors in chapter 11 cases involving leading direct-to-consumer retailer of name-brand and private label, and non-branded fashion, home, and entertainment merchandise. As of the petition date, the debtors had approximately \$500 million in total secured debt. After extensive negotiations with the creditors' committee and other parties in interest, the debtors confirmed an



amended chapter 11 plan of reorganization that provides unsecured creditors with markedly higher cash recoveries. *In re Bluestem Brands, Inc.* (Bankr. D. Del.).

Currently represent debtors in chapter 7 cases of studio spin cycle company with approximately \$37 million in secured debt. Immediately prior to the petition date, the debtors' studio spin cycle business was comprised of 29 fitness studios in top markets across the United States. *In re Flywheel Sports Parent, Inc.* (Bankr. S.D.N.Y.).

Represented an indenture trustee for approximately \$635 million in secured debt instruments in chapter 11 cases involving a publicly owned agricultural company, historically operating as a leaf tobacco producer, processor, and merchant in over 90 countries and more recently expanding into new non-tobacco businesses including hemp-derived products. *In re Pyxus International, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors in chapter 11 cases involving the provider of diagnostic health services with over approximately \$900 million in total liabilities. The cases involved two *qui tam* litigations and a complex investigation into the pre- and post-petition conduct of the debtors and the secured lenders. Following the filing of a standing motion and draft complaint, the committee negotiated an amended chapter 11 plan of reorganization that provided unsecured creditors with a greater cash recovery. *In re Trident Holding Company, LLC* (Bankr. S.D.N.Y.).

Represented an indenture trustee for approximately \$1 billion in unsecured debt instruments in chapter 11 cases involving a publicly traded oil and natural gas exploration and production company. The indenture trustee was a member of the official committee of unsecured creditors. *In re Energy XXI Ltd.* (Bankr. S.D. Tex.).

Represented an indenture trustee for approximately \$1.1 billion in unsecured debt instruments in chapter 11 cases involving a publicly traded oil and natural gas company. The indenture trustee was a member of the official committee of unsecured creditors. *In re Breitburn Energy Partners, LP* (Bankr. S.D.N.Y.).

Represented an indenture trustee and collateral agent for senior secured debt instruments with a principal amount outstanding of approximately \$583 million in chapter 11 cases of the leading chain of toy stores in the world. *In re Toys "R" Us, Inc.* (Bankr. E.D. Va.).

Represented the official committee of unsecured creditors in the chapter 11 cases of a QSR company that culminated in confirming a chapter 11 plan of reorganization in approximately 45 days. The chapter 11 plan provides, among other things, a going concern entity and a cash return to unsecured creditors. *In re Taco Bueno Restaurants, Inc.* (Bankr. N.D. Tex.).

Represented the official committee of unsecured creditors for insurance technology and outsourcing firm Patriot National, Inc. As of the petition date, the debtors had approximately \$223 in secured debt and certain of



its directors and officers were the subject of various breach of fiduciary duty claims. Following an extensive investigation into potential estate claims and causes of action, the committee negotiated a global settlement with the debtors and the secured lenders whereby unsecured creditor recoveries were substantially enhanced through a post-effective date litigation trust. Kilpatrick Townsend currently represents the litigation trustee. *In re Patriot National, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors of large horticulture company with approximately \$118 million of secured debt. Substantially all of the debtors' assets were sold to the secured lender and the debtors confirmed a chapter 11 plan of liquidation. *In re Color Spot Holdings, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors for grocery co-op. Debtors listed approximately \$262 million in total assets and approximately \$292 million in total liabilities. Following the filing of a standing motion and draft complaint, the committee negotiated a global settlement with the secured lenders providing, among other things, millions of dollars in potential value to unsecured creditors. *In re Central Grocers, Inc.* (Bankr. N.D. Ill.).

Represented debtor, one of the two largest United States manufacturers of photovoltaic solar cells. As of the petition date, the debtor had approximately \$100 million in indebtedness. The debtor confirmed a chapter 11 plan of reorganization in April 2019. *In re Suniva, Inc.* (Bankr. D. Del.).

Represented the official committee of unsecured creditors for clothing manufacturer, retailer, and wholesaler employing more than 4,600 workers in and around downtown Los Angeles, California (and 8,500 employees worldwide). The debtors listed approximately \$200 million in assets and \$398 million in liabilities as of the petition date. *In re American Apparel, Inc.* (Bankr. D. Del.).

## **Education**

St. John's University School of Law J.D. (2009) *Dean's List, CALI Awards*

George Washington University B.B.A. (2006) *cum laude, Dean's List*

## **Admissions**

New York (2010)

## **Court Admissions**

U.S. District Court for the Eastern District of New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Western District of Michigan



## **Professional & Community Activities**

American Bankruptcy Institute, Member

KIND Pro Bono (Kids In Need of Defense)

## **Insights**

### [News](#)

Kilpatrick Recognized in The 18th Annual Turnaround Awards by The M&A Advisor  
February 5, 2024

### [News Releases](#)

130 Kilpatrick Attorneys Recognized in 2023 Super Lawyers  
November 1, 2023

### [News](#)

Gianfranco Finizio Named a "Rising Star" by the New York Law Journal  
October 6, 2023

### [News](#)

Kilpatrick Townsend Honored at the 15th Annual Turnaround Atlas Awards  
July 27, 2023

### [News Releases](#)

Kilpatrick Townsend Attorneys Earn Record Number of Rankings in 2023 Chambers USA  
June 2, 2023