

ROBERT D. GORDON, Partner

Robert D. Gordon is a partner in the firm's Restructuring and Bankruptcy Practice. He represents and provides strategic counsel to distressed companies, significant creditor constituencies, and other parties-in-interest in complex and high-stakes corporate and public-sector restructurings. Currently, Mr. Gordon is serving as counsel to the Official Committee of Retirees in the restructuring proceedings for the Commonwealth of Puerto Rico, representing the interests of approximately 160,000 public-sector retirees, owed approximately \$58 billion in connection with the funding of their accrued pensions. Before joining the firm in 2017, Mr. Gordon served as special restructuring counsel to the Detroit Retirement Systems in the City of Detroit's landmark Chapter 9 bankruptcy case. With extensive knowledge of bankruptcy law and how it can affect corporations and governmental entities, Mr. Gordon provides insight and informed guidance to parties confronting insolvency issues and distressed situations.

In addition to his central role in the public-sector bankruptcy and restructuring proceedings of the Commonwealth of Puerto Rico and the City of Detroit, Mr. Gordon has played key roles in numerous private-sector restructurings arising out of a broad range of industries, including automotive, real estate, gaming, hospitality, retail, manufacturing, aviation, and telecommunications. Among his clients are distressed companies, independent directors, creditors' and retirees' committees, pension systems, secured and unsecured creditors, distressed-asset investors, lessors, trustees and liquidating agents. He is able to achieve superior results for his clients by simultaneously bringing creativity and pragmatism to engagements while deftly leveraging legal positions. He provides both effective transactional advice from a creditors' rights perspective and skilled litigation representation, including in fraudulent transfer actions, preference actions, and other commercial and bankruptcy-related litigation, and has argued cases before numerous courts.

Mr. Gordon is also currently serving as a federal court-appointed receiver in a Securities and Exchange Commission enforcement action involving an international Ponzi scheme. He is also a member of the National Association of Federal Equity Receivers (NAFER).

Mr. Gordon has been recognized by *Best Lawyers in America* in the area of Bankruptcy and Creditor-Debtor Rights Law every year from 2010 to the present. He is a frequent speaker on, among other topics, municipal bankruptcy, including its potential impact on retiree benefits. He is also a member of the firm's Hiring Committee.

Awards

- *The Best Lawyers in America*
Bankruptcy and Creditor-Debtor Rights Law, 2010-present
Litigation - Bankruptcy, 2019-present
- Michigan Super Lawyers, 2007-present



ROBERT D. GORDON Partner

NEW YORK

Office: 212 891-1610

Email: rgordon@jenner.com

PRACTICE GROUPS

Bankruptcy Litigation
Financial Services Litigation
Restructuring and Bankruptcy

EDUCATION

University of Michigan Law School, JD,
1989

University of Michigan, BA, 1985

ADMISSIONS

Illinois

Michigan

New York

COURT ADMISSIONS

US District Court, Northern District of
Illinois

US District Court, Eastern District of
Michigan

US District Court, Western District of
Michigan

US District Court, Southern District of New
York

US Court of Appeals, First Circuit

US Court of Appeals, Second Circuit

US Court of Appeals, Third Circuit

US Court of Appeals, Sixth Circuit

- *Legal 500*, Finance - Restructuring (including Bankruptcy) - Corporate, 2018

Service to the Bar

- State Bar of Illinois
Member
- State Bar of Michigan
Member
- State Bar of New York
Member

Industry

- American Bankruptcy Institute
- Turnaround Management Association
Former Member, Board of Directors, Detroit Chapter

Publications

- Author, "Why Work So Hard to Please Bondholders?" *The Virgin Islands Daily News*, September 23, 2020

Speaking Engagements

- "Public Pensions in Puerto Rico's Landmark Restructuring," Opal Group Public Funds Summit East, July 23, 2019
- "Current Issues in Municipal Restructuring," ABI New York City Bankruptcy Conference, May 22, 2019
- "Municipal Bankruptcy: Treatment of Special Revenues in a Case Under Chapter 9 or PROMESA," American Bankruptcy Institute's New York City Bankruptcy Conference, May 24, 2018
- "Public Pensions in the Puerto Rico Restructuring (and Other Distressed Municipal Situations)," Opal Group Public Funds Summit, January 08, 2018
- Panelist, "Puerto Rico Restructuring Crisis As Compared to Detroit," ABA Bankruptcy and Insolvency Litigation Committee, November 29, 2017
- "Update on Public-Sector Bankruptcy and Restructuring," American Law Institute CLE Conference, Washington, D.C., October 21, 2016
- "Chapter 9 Bankruptcy and the Detroit Experience," American Bar Association (Section of State and Local Government Law) 2016 Spring Meeting, San Juan, Puerto Rico, April 08, 2016
- "Pensions and Municipal Workouts and Bankruptcy – Important Concepts for Public Pension Attorneys (Plus the Detroit Perspective)," Public Funds Summit Conference hosted by Opal Financial, Scottsdale, Arizona, January 08, 2016
- "Pensions and Municipal Workouts and Bankruptcy – Important Concepts for Public Pension Attorneys (Plus the Detroit Perspective)," American Law Institute CLE Conference, Washington D.C., September 11, 2015
- "Legal and Compliance Issues Facing Pensions" (Panel), Public Funds Summit East – Navigate the Future presented by Opal Financial Group, Newport Marriott, Newport, Rhode Island, July 21, 2015

- "Municipal Bankruptcy: Perspectives From Either Side of the Bench" (Panel), National Association of Public Pension Attorneys (NAPPA), Austin, Texas, June 26, 2015
- "Municipal Bankruptcies (Chapter 9): Pitfalls, Practicality & Tales from Jefferson County, Alabama and Detroit, Michigan" (Panel), Mid-South Commercial Law Institute, Nashville, Tennessee, December 04, 2014
- "Retirement Cuts and the Contracts Clause – The Chapter 9 Municipal Bankruptcy Perspective," National Association of Police Organizations' Attorney Seminar, Las Vegas, Nevada, October 24, 2014
- "Pensions and Bankruptcy," Washington Legislative Update, International Foundation of Employee Benefit Plans, Washington, D.C., May 05, 2014 to May 06, 2014
- Municipal Bankruptcies Panel, American Bankruptcy Institute 32nd Annual Spring Meeting, Washington, D.C, April 24, 2014 to April 27, 2014
- "Outlook on U.S. Municipal Bankruptcy," 26th Annual Police, Fire, EMS, and Municipal Employee Pension & Benefits Seminar, Las Vegas, NV, February 08, 2014 to February 10, 2014
- "Municipal Bankruptcies and the Impact on Michigan's Public Pension Plans," Michigan Association of Public Employee Retirement Systems Fall Conference 2013, Grand Rapids, Michigan, September 23, 2013
- "Chapter 9 - Municipal Bankruptcy and Alternatives Available to Financially Distressed Municipalities," Municipal Restructuring Stakeholder Panel, TMA Mid-America Conference, Greektown Casino, Detroit, Michigan, September 11, 2013 to September 12, 2013
- "Michigan's Public Act 436 — The Local Financial Stability and Choice Act," Michigan School Business Officials 2013 Annual Conference, Grand Rapids, Michigan, April 24, 2013
- "Senate Bill 865," Clark Hill's 2013 Annual School Law & Finance Seminar, Troy, Michigan, January 05, 2013
- Municipal Panel, Michigan Chapter of Turnaround Management Association's Annual Spring Conference, Detroit, Michigan, April 28, 2010
- "School Funding Crisis: When a Financial Emergency Exists," Michigan School Business Officials 2010, Annual Conference, Grand Rapids, Michigan, April 28, 2010
- "School Funding Crisis: When a Financial Emergency Exists," Wayne County Association of School Boards, Wayne, Michigan, March 18, 2010
- "School Funding Crisis: The Legal Consequences," Conference of the Michigan Council of School Attorneys, Michigan Association of School Boards, Lansing, Michigan, October 22, 2009
- "Issues and Concerns Regarding the Application of Res Judicata to Post-Confirmation Litigation," National Conference of Bankruptcy Judges Roundtable Program: Post-Confirmation Litigation - the Latest Issues, American Bankruptcy Institute, Las Vegas, Nevada, October 20, 2009
- "When a Financial Emergency Exists," Tri-County Alliance for Education, Livonia, Michigan, October 15, 2009