



Frank Childress

Shareholder

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Frank Childress represents clients in a variety of bankruptcy and creditors' rights matters.

Mr. Childress has extensive experience in the areas of bankruptcy, representing secured and unsecured creditors in reorganization and liquidation cases throughout the United States; representing parties in sales of assets in bankruptcy cases; preference litigation; trustee representation; creditors' rights; loan workouts; bank litigation and secured transaction litigation. Other experience includes real estate litigation (foreclosure and lien litigation); UCC issues; service as receiver and trustee and general commercial litigation.

Mr. Childress is a Fellow in the American College of Bankruptcy.

Representative Matters

- Successfully represented the Community Development Enterprises arm of a national lender (the CDE) as to a failed mixed retail and grocery store project in south Memphis involving a potential foreclosure, the resolution of property tax liens, a Chapter 11 proceeding with a court ordered sale of the project and payment of net proceeds to the CDE and a negotiated settlement of the general contractors claims against the CDE as to the distribution of loan proceeds during construction.
- Represented a financial institution in a construction loan for the redevelopment of a Memphis historical building. Baker Donelson handled all aspects of the loan including those involving Historic Tax Credits and payment in lieu of tax (PILOT).

Professional Honors & Activities

- Fellow – American College of Bankruptcy Foundation
 - Foundation Director, Board of Directors (2020)
- Listed since 2010 in *Chambers USA: America's Leading Business Lawyers* as a leading bankruptcy litigation attorney in Tennessee
- Listed in *The Best Lawyers in America*® since 2001; Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law, Bankruptcy Litigation, Commercial Litigation, Banking and Finance Litigation, Bet-the-Company Litigation, Mergers and Acquisitions Law
- Named the *Best Lawyers'* 2022, 2021, 2019, 2017 Memphis Bankruptcy Litigation "Lawyer of the Year"
- Named the *Best Lawyers'* 2020 Memphis Bet-the-Company Litigation "Lawyer of the Year"
- Named the *Best Lawyers'* 2013 Memphis Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law "Lawyer of the Year"
- Listed in *Mid-South Super Lawyers* since 2007
- Selected as one of the top 50 attorneys in Memphis and top 100 attorneys in Tennessee (across all fields of practice) by *Mid-South Super Lawyers*
- Named to the 2020 *Lawdragon* 500 Leading U.S. Bankruptcy and Restructuring Lawyers
- Named to *Business Tennessee* magazine's "150 Best Lawyers" (2009 – 2010)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell
- Chairman – Attorney General's Advisory Committee of the United States Trustees (1990 – 1994)
- Served as United States Trustee for the Federal Judicial Districts of Massachusetts, Maine, New Hampshire and Rhode Island (1991 – 1994)
- Recipient – The U.S. Attorney General's Award for Distinguished Service (1992)

- Served as United States Trustee for the Northern and Southern Districts of Indiana and the Central and Southern Districts of Illinois (1989 – 1990)
- Appointed as the first United States Trustee for the Federal Districts of Kentucky and Tennessee (1988 – 1994)
- Served as an Assistant United States Attorney for the Middle District of Tennessee (1982 – 1988)
- Past member of the Board of Directors and past President of the Mid-South Commercial Law Institute
- Member – American, Tennessee (Chairman – Commercial, Bankruptcy & Banking Section, 1996 – 1997) and Memphis (Past Chair and Director of the Bankruptcy Section) Bar Associations
- Member – American Bankruptcy Institute
- Member – Commercial Law League
- Fellow – Tennessee Bar Foundation
- Fellow – Memphis Bar Foundation
- Fellow – American Bar Foundation
- Board of Directors – Mid South Fair (2006 – 2012)
- Board of Directors – Porter Leath (2006 – 2012; Chair, 2010 – 2011)
- Graduate of Memphis Leadership Academy (2005)
- Former Member – Board of Governors, University of Tennessee National Alumni Association
- Member – University of Tennessee President's Council (2016 – present)
- Member Development Committee – University of Tennessee, Martin (2007 – 2010)
- Board of Directors Member – Memphis and Shelby County Sports Authority Board (2012 – present)
- Chair of the District Investigatory Committee (DIC 9) for Tennessee Board of Law Examiners (2016 – present)
- Appointed by Tennessee Supreme Court to Hearing Panel for Board of Professional Responsibility
- Past Chair – Bankruptcy Section, Tennessee Bar Association
- Frequent lecturer on bankruptcy law, speaking at seminars sponsored by the National Association of Chapter 13 Trustees, Norton Bankruptcy Law Institute, Mid-South Commercial Law Institute, Nashville Bar Association, Chattanooga Bar Association, Memphis Bar Association, Tennessee Bar Association and Mississippi Bar Association



Publications

- "Tips for Working With Your Lender in These Uncertain Financial Times" (April 6, 2020)



Speaking Engagements

- "Arbitration in Bankruptcy," Sixth Circuit Meeting of the American College of Bankruptcy (October 2018)
- "Retention and Production of Electronically-Stored Information," Baker Donelson Seminar on Legal Issues Confronting Inside Counsel (November 2016)
- "How to Prove Your Case," Annual Memphis Bar Association Seminar (October 2016)
- "*Stern v. Marshall*, How's That Working for You?," Annual Mississippi Bankruptcy Conference (December 2012)
- "Practical Effects of *Stern v Marshall*," American Bankruptcy Institute 2nd Annual Consumer Bankruptcy Conference (June 2012)
- "Section 363 Sales and Related Issues," Mid-South Conference on Bankruptcy Law (February 2012)
- "Chapter 11 Practice, Court Approval and *Stern v Marshall*," Memphis Bar Association Bankruptcy Section, 25th Annual Seminar (October 2011)
- "Strategies for Dealing with Clients Who Cease Operations," International Paper Company Legal Conference (May 2011)
- "Key Issues in Evaluating Extension of Credit to Bankrupt Companies," International Paper Company, Legal Conference (March 2011)



Education

- Cumberland School of Law of Samford University, J.D., 1980, cum laude
- University of Tennessee at Martin, B.S., 1977, cum laude
- Completed Program for Senior Managers in Government at the John F. Kennedy School of Government at Harvard University, 1992



Admissions

- Tennessee, 1980