



Roger Frankel

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Education

- B.A., Brandeis University, 1968
- J.D., *with honors*, George Washington University Law School, 1971

Honors

- Recognized in: *Best Lawyers in America (Woodward White - all editions through 2017)*
- Recognized in: *Chambers USA - America's Leading Business Lawyers (2003-2016)*
- Recognized in *Chambers Global - The Worlds Leading Lawyers for Business (2014 - 2016)*
- Named one of Washington's Top Bankruptcy Lawyers, *Washingtonian (2007-2016)*
- Recognized in *IFLR1000: Leading Lawyer, United States – Restructuring & Insolvency*
- Recognized in: *Washington, D.C. Super Lawyers - Business/Corporate*

Roger Frankel, Founding Partner of Frankel Wyron LLP, has practiced in the areas of business reorganization and creditors' rights since 1972, with an emphasis on bringing business and common sense to complex legal transactions. Mr. Frankel counsels companies, trusts and families in connection with multi-faceted counter party disputes, often involving financial distress. He represents court-appointed fiduciaries in connection with Chapter 11 proceedings under the Federal Bankruptcy Code and post-confirmation matters.

Mr. Frankel was appointed by the United States Bankruptcy Court as the Legal Representative for holders of future personal injury asbestos claims in the Chapter 11 case of W.R. Grace and now holds that same position with the W.R. Grace Personal Injury Trust. He was also appointed as the Legal Representative for the Combustion Engineering 524(g) Trust.

On August 30, 2017, Mr. Frankel was appointed by the Federal Bankruptcy Court in Delaware as the Legal Representative for those individuals who will hold claims in the bankruptcy cases for personal injury in the future against the various Takata companies in connection with their manufacture of defective airbags. Effective in April 2018, the Bankruptcy Court appointed Mr. Frankel to serve as the Future Claimants' Representative to the Takata Airbag Tort Claimants Compensation Fund, which is the trust fund created under the plan of reorganization for the Takata entities to compensate claimants who suffer personal injuries caused by defective Takata airbag inflators in the future.

Mr. Frankel served as a member of the Board of Directors of Pittsburgh Corning Corporation and Pittsburgh Corning Europe, from March, 2016 until the sale of the companies to Owens Corning in June, 2017. As an integral part of the restructuring practice, Mr. Frankel has counseled public and private companies as well as wealthy families in connection with governance policies.

Mr. Frankel has extensive experience representing public and private companies in connection with Chapter 11 cases and out-of-court restructurings including clients in the gaming, real estate, manufacturing, distribution, energy, telecommunications and service industries. He has counseled clients regarding various aspects of mass-tort liabilities.

Chambers Global recognizes Mr. Frankel for “his all-encompassing bankruptcy expertise and experience” and also notes that “Sources admire ‘his superbly calm demeanor and professional attitude in the face of tense disputes,’ and his near-unparalleled knowledge of the Bankruptcy Code.” Additionally, *Chambers USA* calls Mr. Frankel a “dean of the bankruptcy practice.”

Mr. Frankel has appeared on the PBS news program, “Nightly Business Report,” and is an active speaker on bankruptcy and mass tort issues throughout the country.

Mr. Frankel is an avid golfer and current member of Woodmont Country Club (past president), Liberty National Golf Club, and The Falls Club of the Palm Beaches.

A sample of his recent notable engagements include:

General Motors National Dealers Council. Mr. Frankel represented the General Motors National Dealers Council in connection with the restructuring and bankruptcy of General Motors Corporation. The council represents approximately 6,000 GM dealers in the U.S. Mr. Frankel also worked closely with the National Automobile Dealers Association on this engagement.

Buffalo Thunder Resort and Casino. Mr. Frankel represented this New Mexico Native American Gaming Casino in a complex out of court restructuring.

Combustion Engineering. Mr. Frankel represented the court-appointed Legal Representative for future claim holders in connection with the negotiation and successful confirmation of Combustion Engineering, Inc.’s plan of reorganization, which resulted in the establishment of a trust with more than US \$1 billion in assets for the benefit of present and future asbestos claimants. Mr. Frankel now acts as the Legal Representative in connection with the Trust as it processes and pays asbestos personal injury asbestos claims.

Shook & Fletcher Asbestos Trust. Mr. Frankel represents this asbestos Trust formed in 2002 after the confirmation of the plan of reorganization of Shook & Fletcher Insulation Co. in Birmingham, Alabama. Mr. Harry Huge is the sole trustee of the Trust.

Pepco/Mirant. Mr. Frankel represented Potomac Electric Power Company (Pepco) in complex, cutting-edge litigation concerning the ability of Mirant Corporation, a debtor power generator, to reject electric power contracts. The defense of Pepco resulted in a new law in the U.S. Court of Appeals for the Fifth Circuit that requires courts to consider the public interest before approving the rejection of a power contract.

W.R. . Grace. Mr. Frankel acted as the court-appointed Legal Representative for the holders of future claims in the confirmed Chapter 11 case of W.R. Grace & Co., et. al., a worldwide chemical company. Mr. Frankel was one of the lead negotiators that resulted in the Plan being jointly filed by the Debtors, the Asbestos Creditors Committee, the Legal Representative and the Equity Committee. The plan of reorganization became effective on February 3, 2014. The Trust has in excess of \$3 billion in assets to pay present and future personal injury asbestos claims.

Admitted in

- District of Columbia
- Maryland (inactive status)

Court Admissions

United States Courts of Appeals

- Third Circuit

United States District Court

- District of Columbia

Representative Speeches & Programs

- Argyle Executive Forum, New York, NY, Moderator, "Investing in Companies with Mass Tort Problems"
- Panel Moderator, Mealey's Asbestos Bankruptcy Conference, Chicago, IL
- Conference Co-Chair, HB Asbestos Conference, New York, NY