



Joshua Gadharf

Member

Detroit

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Practice Focus

- Business restructuring
- Business counseling
- Litigation finance
- Automotive Restructuring
- Creditors' committees
- Creditors' rights
- Distressed M&A

Joshua is a Member in the Business and Business Restructuring Services Departments and counsels clients on strategic alternatives in both distressed and non-distressed settings. He regularly represents public and private companies, directors, officers, lenders, creditors, shareholders, and strategic and financial investors.

Joshua's debtor practice involves advising companies and their boards of directors in business restructuring scenarios ranging from out-of-court restructurings to chapter 11 reorganizations and liquidations. He also advises boards of directors and management teams on strategic, corporate, and governance matters and regularly litigates in federal and state courts.

Joshua's broad-based practice also includes providing general business counseling in non-distressed settings to a variety of businesses, business owners, and investors. He is skilled at drafting, analyzing, and negotiating all types of commercial contracts and complex agreements and regularly provides general corporate counseling to clients, including assisting with employment and corporate governance matters.

Selected for inclusion as a Michigan Rising Star (2015-2018) by Super Lawyers, Joshua is a member of the Turnaround Management Association and the American Bankruptcy Institute.

Prior to joining the McDonald Hopkins, Joshua was an associate in the Bankruptcy and Creditors' Rights Practice at Katten Muchin Rosenman LLP in Chicago, Illinois.

Joshua earned a J.D., with honors, from Chicago-Kent College of Law in 2008. He received a B.A., with honors, from Washington University in St. Louis in 2003.

Representative Cases/Matters

- **HVAC Compressor Manufacturer** – Represents former manufacture of HVAC compressors with sales to worldwide customers in its out-of-court wind down and liquidation, including drafting and negotiating dozens of customer and supply agreements, drafting and negotiating purchase agreement, and closing sale of assets to foreign strategic purchaser.
- **Leading Distributor of Steel Products** – Provides regular business advice as outside corporate counsel, including negotiating settlements of contract and other business disputes with customers and suppliers and advising company during its WBENC certification process.
- **Large Automotive Supplier** – Drafted and negotiated supply agreements for one of the world's largest

manufacturers of transmission and wet-wheel brake friction products, supplying both OEMs and automotive aftermarket customers.

- **Elements Behavioral Health** – Represented joint venture in providing DIP financing and acquiring leading operator of addiction treatment facility out of bankruptcy.
- **Bertucci's Holdings, Inc.** – Represented strategic buyer, who is also providing debtor-in-possession financing, in its stalking horse bid to acquire substantially all the assets of Bertucci's, the owner and operator of full-service casual family restaurants located in the Northeast and Mid-Atlantic regions.
- **Central Grocers, Inc.** – Represented wholesale cooperative and its subsidiaries, including Strack and Van Til Super Market, Inc., in their chapter 11 bankruptcy cases in Chicago, Illinois.
- **Gulf Chemical & Metallurgical Corp.** – Represented metals producer based in Freeport, Texas and Pittsburgh, Pennsylvania in its chapter 11 bankruptcy cases in Pittsburgh, Pennsylvania, and currently represents the Liquidating Trustee of the liquidating trust established post-bankruptcy.
- **Keywell L.L.C.** – Represented Official Committee of Unsecured Creditors in chapter 11 bankruptcy case of leading supplier of recycled titanium, high-temperature alloys and stainless steel in North America, and currently represents the Liquidating Trustee of the liquidating trust established post-bankruptcy.
- **Werthan Packaging** – Represented strategic buyer in its stalking horse bid and acquisition of substantially all the assets of Werthan Packaging out of bankruptcy.
- **Awrey Bakeries LLC** – Represented one of the largest privately owned baked goods producers in the country, in its out-of-court restructuring, wind-down and going concern Article 9 sale to Minnie Marie Bakers, Inc.
- **City of Detroit** – Represented Syncora Guarantee and Syncora Capital Assurance in the City of Detroit chapter 9 bankruptcy case in connection with Syncora's holdings of the City's certificates of participation and as insurers of certain of the City's swap and COPs obligations.
- **Park Place Christian Community of Elmhurst** – Represented continuing care retirement community in pre-negotiated chapter 11 bankruptcy in Chicago, Illinois, which restructured over \$150 million in bond debt.
- **Edison Mission Energy** – Represented Edison Mission Energy (EME) as conflicts counsel in its chapter 11 restructuring of approximately \$3.7 billion of senior unsecured notes and other obligations; represented EME subsidiary, Camino Energy, as primary debtor's counsel. EME, through its subsidiaries, owns or leases and operates a portfolio of more than 40 electric generating facilities powered by coal, natural gas, wind, and biomass (with aggregate existing project indebtedness of approximately \$1.5 billion), as well as an energy marketing and trading operation.
- **Billnat Corporation dba Sav-On Drugs** – Represented chapter 11 debtor in successful sale of its regional drugstore chain to CVS.
- **Lee Steel Corporation** – Represented chapter 11 debtors in successful sale of its steel service business to Union Partners and its excess manufacturing facility to Hilco Industrial and Hilco Real Estate in a transaction fully paying the lender and earning the TMA Chicago/Midwest Small Deal of the Year 2016.
- **Kurz-Kasch** – Represented leading manufacturer of conventional coils and stators, engineered composite components and subassemblies, magnetic/electrical/electronic sensing devices, and high performance solenoids in its out-of-court restructuring.
- **Real Alloy Recycling** – Representing holder of 503(b)(9) claims in chapter 11 cases filed by leading aluminum producer.
- **Tribune Company** – Represented Tribune Company's two largest former shareholders and dozens of other

former shareholders, all defendants in several fraudulent transfer lawsuits where plaintiffs sought to claw back payments made to shareholders during Tribune's leveraged buy-out in 2007.

- **Lake County Family Young Men's Christian Association** – Represented Illinois not-for-profit corporation in its out-of-court restructuring, wind down, and assignment for the benefit of creditors.
- **TSC Global, LLC** – Represented company involved in the sale, marketing, and distribution of consumer brand products, including “e-cigarettes,” to top retailers, travel centers, and truck stops, in its out-of-court restructuring, wind down, and two UCC Article 9 sales.
- **Hess Industries, Inc.** – Represented manufacturer of heavy equipment and metal forming machines in its out-of-court restructuring and eventual chapter 7 filing.
- **Commercial Foreclosures** – Represented secured lenders in all phases of commercial mortgage foreclosure litigation.
- **Pro Bono** – Represented plaintiff in race and sex discrimination lawsuit brought against his employer.

Admissions - Court

- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Illinois

Admissions - State

- Illinois
- Michigan

Education

- Illinois Institute of Technology - Chicago-Kent College of Law
- Washington University in St Louis

Honors and Awards

- Selected for inclusion in *Michigan Rising Stars* (2015-2019)

Professional Membership

- American Bar Association
- American Bankruptcy Institute
- Turnaround Management Association

Public Service and Volunteerism

- Member, Board of Trustees, Temple Israel
- Member, Board of Directors, JARC

Blog Posts

- New Senate bill would force bankruptcy filings closer to home
- Venue Reform Unlikely for Chapter 11 Bankruptcy Cases
- Bankruptcy Unlikely to Save East Cleveland

News

- Four attorneys elected as members at McDonald Hopkins
- Eleven attorneys at McDonald Hopkins honored as Michigan Super Lawyers and Rising Stars
- Twelve attorneys at McDonald Hopkins honored as Michigan Super Lawyers and Rising Stars

External Publications

- "Gadharf Excited for Debtor Work In New McDonald Hopkins Gig," DBR Small Cap, June 22, 2012
- "The Decline of Traditional Pensions, the Impact of the Pension Protection Act of 2006, and the Future of America's Defined-Benefit Pension System," 83 CHI.-KENT L. REV. 1409 (2008)