



Maria G. Carr

Associate

Cleveland

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216.348.5785

Practice Focus

- Business restructuring
- Business counseling
- Business litigation
- Franchising, licensing, and distribution
- Distressed M&A

Maria focuses her practice on corporate restructuring, commercial bankruptcy, business counseling, and creditors' rights matters. As an associate in the firm's Business Restructuring Services Department, she frequently represents businesses in chapter 11 bankruptcy proceedings, state or federal receiverships, out of court workouts, or other insolvency proceedings and commercial matters. Maria also represents secured and unsecured creditors in these proceedings, and handles litigation arising out of and related to bankruptcy or receivership cases. Maria also has experience representing purchasers of assets of distressed businesses and liquidating trustees in various bankruptcy and distressed matters. Before joining McDonald Hopkins, Carr gained experience at a Cleveland litigation firm.

Maria earned her J.D., cum laude, from Case Western Reserve University School of Law in 2014. She received a Bachelor of Music degree, summa cum laude, in 2011 from Vanderbilt University.

Representative Cases/Matters

- American Home Products LLC – represented a custom manufacturer of shutters and blinds (Bankr. N.D. Georgia)
- BCause Mining LLC – represented a secured creditor of a bitcoin mining company (Bankr. N.D. Illinois)
- Discovery Tours, Inc. – represented chapter 7 trustee, investigated and prosecuted avoidance actions (Bankr. N.D. Ohio)
- Digital Media Solutions v. South University of Ohio, et al. – represented a secured creditor and service provider for a private university system in a federal receivership and workout (N.D. Ohio)
- First Energy Solutions Corp. - co-counsel to Wilmington Savings Fund Society FSB and ad hoc group of pass-through certificate holders (Bankr. N.D. Ohio)
- Elements Behavioral Health – Represented joint venture in providing DIP financing and acquiring leading operator of addiction treatment facility out of bankruptcy (Bankr. D. Del.)
- Data Cooling Technologies LLC, et al. – represented a producer of cooling systems in a chapter 11 case, represented the liquidating trustee in the prosecution of certain avoidance actions (Bankr. N.D. Ohio)
- 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

- SCI Direct/Suarez Corporation Industries, et al. – represented the official committee of unsecured creditors, represented the liquidating trustee in the prosecution of certain avoidance actions (Bankr. N.D. Ohio)
- Unique Ventures Group, LLC - represented chapter 11 trustee as special sale and franchise counsel in the successful 363 sale of 28 Perkins® Family Restaurants franchises. (Bankr. W.D. Pa.)
- Auburn Armature – represented the secured lender and debtor-in-possession lender in chapter 11 bankruptcy (Bankr. N.D.N.Y.)
- Coshocton County Memorial Hospital Association - represented a 56-bed acute care community hospital in a successful 363 asset sale and chapter 11 case; represented liquidating trustee in the prosecution of certain avoidance actions (Bankr. N.D. Ohio)
- Gulf Chemical Metallurgical Company, et al. - represented a leading producer of ferroalloys in chapter 11 bankruptcy. (Bankr. W.D. Pa.)
- QSL of Medina, Inc., et al. - represented franchisor of Quaker Steak & Lube® brand in successful 363 asset sale, plan of liquidation, and significant litigation with franchisee (Bankr. N.D. Ohio)
- Review and development of area development agreements, franchise agreements, and other franchise documents for small franchisees and franchisors

Admissions - Court

- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio

Admissions - State

- Ohio

Education

- Case Western Reserve University School of Law
- Vanderbilt University

Honors and Awards

- Selected for inclusion in *Ohio Rising Stars* (2020)
- Midwest Regional Bankruptcy Seminar Distinguished Bankruptcy Law Student Award
- CMBA Sichernman Excellence in Bankruptcy Award
- CALI Award, Case Western Civil Litigation Clinic

Professional Membership

- Building Hope in the City - Board Member
- Cleveland Metropolitan Bar Association - Women in Law Section
- Turnaround Management Association - NextGen Advisory Board
- International Women Insolvency & Restructuring Confederation (IWIRC) – Northeast Ohio Steering Board

Public Service and Volunteerism

- Legal Aid Society of Cleveland – pro bono volunteer
- Disability Rights Ohio – pro bono volunteer, volunteer coordinator
- Cleveland Metropolitan Bar Association – 3Rs Program Volunteer

- City Church – Community Group Leader, Preschool Teacher

Alerts

- Every word matters: Supreme Court finds “church plans” include those established by church-affiliated organizations

Blog Posts

- Ohio’s Habitual Offenders Program can have devastating effects for businesses that fail to comply with sales tax filing and payment requirements
- Are social media influencers a valuable opportunity or potential liability to your franchise?
- Ohio joint employer law could conflict with new federal joint employer standards
- Is receivership a better option for struggling higher education institutions?
- New Ohio House Bill 494 limits state joint employer liability for corporate franchisors
- A frozen franchise: Cryotherapy franchise litigation explores fundamental franchise issues
- NLRB begins rulemaking process to consider controversial joint-employer standard
- What a wreck: Attempted rejection of implied franchise leads to dismissal of bankruptcy cases
- NLRB vacates opinion requiring joint employers to have a relationship of direct control
- Joint employers require relationship of direct control: A victory for the franchise community
- Exploding craft beer scene may lead to unintentional franchise violations
- No easy access to Christmas Ale this winter?
- The impact of a right of first refusal clause in your franchise agreement during bankruptcy
- "Insured vs. insured" exception not going away anytime soon
- Can you take back your franchise contract?
- Are negotiations before a franchise agreement was finalized admissible?
- What makes a liquidated damages provision reasonable?
- Franchisor not intended beneficiary for mandatory mediation in franchisee equity dispute
- Wendy’s 3-year battle with franchisee resolved through sale of 140 restaurants
- SunEdison: A dark fight ahead?

News

- "National Celebration of Pro Bono Week: Spotlight Interview with Maria Carr"
- "Contingent Claims: Roadblocks to a Sale or Just Bumps in the Road?"
- Sixth Circuit expands PBGCs ability to recover underfunded pension liabilities
- Attorney Maria G. Carr joins McDonald Hopkins

External Publications

- "Passage of the Small Business Reorganization Act Could Dramatically Change a Majority of Chapter 11 Bankruptcies (For the Better)," TMA Turnaround Times - Ohio (May/June 2019)
- "Sixth Circuit Rules that the “Insured Versus Insured” Exception Applies to Liquidating Trustees," TMA Turnaround Times - Ohio (September/October 2017)

Speaking Engagements

- "A Secured Problem: A Hypothetical Discussion on an Attempted Workout and Liquidation Scenario," Cleveland Metropolitan Bar Association 9th Annual Bankruptcy & Turnaround Update, October 24, 2019

- "Debt Restructuring, Corporate Governance, and Competition in the United States," Presenter to Chinese delegation for the Cleveland Council on World Affairs, March 23, 2018
- "Uncover the Mysteries of 13-Week Cash Flow Models," Moderator, June 29, 2017