



Douglas M. Foley
Of Counsel

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Doug has substantial experience representing large and small creditors and debtors in a variety of business Chapter 11 proceedings throughout the United States. He focuses his practice on all aspects of insolvency and debtor-creditor issues. He has had significant involvement in many of the largest Chapter 11 cases filed in the Eastern District of Virginia.

Doug was inducted into the American College of Bankruptcy (Class XXII) and served as Regent for the Fourth Circuit and D.C. from 2018-2022. He is certified in business bankruptcy law by the American Board of Certification Standards Committee, an affiliate of the American Bankruptcy Institute. He is also highly rated by *Chambers USA*. Furthermore, he is a regular speaker at various bankruptcy bar and trade association meetings on bankruptcy topics. He is also a past chairperson of the Virginia State Bar Bankruptcy Law Section Board of Governors.

Following law school, Doug served as a law clerk for the Honorable Loren A. Smith, Chief Judge at the U.S. Court of Federal Claims, and for the Chief Judge Douglas O. Tice Jr. of the U.S. Bankruptcy Court in the Eastern District of Virginia.

PRACTICE AREAS

- Bankruptcy, Insolvency & Creditors' Rights
- Litigation

REPRESENTATIVE MATTERS

- Represented Chapter 11 debtors, committees, secured lenders, buyers, trustees, trade creditors and landlords in all areas of insolvency and debtor-creditor law

RECOGNITION AND HONORS

- *America's Leading Lawyers for Business*, Bankruptcy/Restructuring, District of Columbia, 2016-2021, 2022; Virginia, 2023, *Chambers USA*
- AV Preeminent Rated, Martindale-Hubbell, 2020-2023
- Virginia's Legal Elite; *Virginia Business Magazine*, 2003-2023
- *Best Lawyers in America*, 2005-2023
- Virginia Super Lawyers; *Law & Politics*, 2006-2023
- Washington, D.C. Super Lawyers; *Law & Politics*, 2014-2022
- *The Lawdragon 500 Leading U.S. Bankruptcy & Restructuring Lawyers*, 2020, 2022, 2023
- Washington, D.C.- Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law "Lawyer of the Year"; *Best Lawyers in America*, 2020
- Norfolk - Litigation - Bankruptcy "Lawyer of the Year"; *Best Lawyers in America*, 2015, 2017
- Norfolk - Bankruptcy and Creditor-Debtor Rights "Lawyer of the Year"; *Best Lawyers in America*, 2011
- Master, Walter Chandler American Inn of Court, Washington, D.C., 2013-present
- Washington, D.C.'s Best Lawyers: Bankruptcy; *Washingtonian Magazine*, 2019, 2020

RECOGNITION AND HONORS (CONT.)

- Client Service “All-Star,” BTI Consulting, 2018
- Inducted into the American College of Bankruptcy Class 22, 2011
- Clerked for Hon. Loren A. Smith, U.S. Court of Federal Claims, 1993-1994
- Clerked for Hon. Douglas O. Tice, U.S. Bankruptcy Court for the Eastern District of Virginia, 1992-1993
- *George Mason Law Review*; Member and Production Editor, 1992

ASSOCIATIONS

- American College of Bankruptcy; Board of Directors, 2023-2024
- Georgetown University Law Center; Adjunct Professor, Bankruptcy Law, Spring 2023
- American Bankruptcy Institute; Board of Directors, 2017-2023
- American College of Bankruptcy; Regent (4th Circuit and DC), 2018-2022
- American College of Bankruptcy; Fellow, (Class XXII)
- Virginia State Bar Bankruptcy Law Section; Board of Governors, Chairperson, 2012-2013
- Virginia Bar Association Bankruptcy Law Section Council; Member, 2001-2004
- Tidewater Bankruptcy Bar Association; Past President, 2002-2003
- Leadership Hampton Roads; Member, Class of 2000

ADMISSIONS

- New York
- North Carolina
- District of Columbia
- Virginia
- Maryland
- U.S. Supreme Court
- U.S. Court of Appeals for the 4th Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- U.S. Court of Federal Claims
- North Carolina State and Federal Courts
- Virginia State and Federal Courts

EDUCATION

- University of Mary Washington; B.A., *cum laude*, 1988
- George Mason University Antonin Scalia Law School; J.D. with distinction, 1992

PRESS AND PUBLICATION

- “Aggressive, Extra-Contractual Conduct Leads to “Lender Liability” Judgment,” *American Bankruptcy Institute Journal*, May 2022
- “3rd-Party Releases Face Reckoning After Recent Decisions,” *Law360*, February 8, 2022, Quoted
- “Old Dominion Courts Emerge As New Bankruptcy Hot Spot,” *Law360*, September 18, 2020, Quoted
- “Big-Name Bankruptcies Flock to Two-Judge Court in Virginia,” *Bloomberg Law*, September 15, 2020, Quoted
- “Tax Certificate Sale and § 362 Automatic Stay Implications,” *ABI Journal*, September 2018
- “Nondebtor Transfers Fall Outside the Scope of the Delaware UFTA,” *ABI Journal*, May 2018
- “Valuation Conundrums in Crammed-Down Chapter 11 Business Reorganization Cases,” *ABI Journal*, November 2017
- “Following Fisker, Your Credit Bid Rights May Be Impaired,” *Law 360*, April 24, 2014
- *American College of Bankruptcy – Circuit Review*, Fourth Circuit & D.C. Circuit, 2013, Contributing Author
- “Bankruptcy Practice in Virginia,” *The Virginia Law Foundation, Chapter 10*, October 2011
- “The Demise of Credit Bidding at Plan Sales,” *Virginia Lawyer* (Volume 59/No. 1), July 2010
- “New Dilemmas for Vendors in Retail Bankruptcies,” *Bankruptcy Law News* (Volume XXIV, No. 2), Summer 2009
- “Charter, Spectrum Cases Poised To Set Precedent,” *Bankruptcy Law360*, June 8, 2009
- “Prepacks on the Rise in Chapter 11 Bankruptcies,” *The Journal of Corporate Renewal (TMA)*, August 2008