



Daniel J. DeFranceschi

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Daniel DeFranceschi represents corporate debtors and creditors from all business segments and in all aspects of chapter 11 cases. Co-chair of the firm's Bankruptcy & Corporate Restructuring Department, he has experience in a variety of business segments, including retail, manufacturing, automotive, casino, entertainment, amusement parks, real estate development, subprime mortgage lending, telecommunications, high tech, natural resources, food products, flexible office solutions, airlines and healthcare, among others.

Chambers USA notes that Dan is "incredibly insightful, very thorough, and well respected by the judges," and reports that clients praise him for his "practical and reasoned" approach as well as his "strategic thinking and guidance." Dan has served as counsel to numerous chapter 11 debtors, and has represented creditors, equity participants and purchasers in some of the largest chapter 11 and chapter 7 cases in the country.

Experience

- ExGen Texas Power, LLC - lead debtors' counsel to ExGen Texas Power, LLC and its wholly owned subsidiaries, which owned five gas-fired power plants in Texas, in cases involving sale of a power plant and debt for equity chapter 11 plan
- Claire's Stores, Inc. - co-counsel to Claire's Stores, Inc. and certain of its subsidiaries, comprising one of the nation's largest retailers with more than 4,000 locations globally, which have more than \$2 billion in funded debt obligations
- Southeastern Grocers, LLC - co-counsel to debtors, one of the largest conventional supermarkets in the United States operating stores (including Winn-Dixie and Bi-Lo Stores) in key metropolitan areas throughout the southeast
- Energy Future Holdings Corp. - represents affiliated debtors, which include the largest generator, distributor and certified retail provider of electricity in Texas in the largest operating chapter 11 cases ever filed in the District of Delaware and the seventh largest in history, with over \$49 billion in liabilities and \$36 billion in assets
- Longview Power - represents owner and operator of a 700 net megawatt

supercritical coal fired power generation facility in West Virginia and one of the largest independent coal companies in North Appalachia, which, together with their debtor affiliates, have approximately \$1 billion in funded debts

- Blitz U.S.A. - representing the debtor, which was the market leading manufacturer of portable consumer gasoline containers in its chapter 11 case
- ResMae Mortgage - represented the debtor, a large subprime mortgage lender, in its chapter 11 case
- Nextel International - represented the debtor, a large international telecommunications service provider, in its chapter 11 case
- USG Corporation - represented the debtors, leading building products manufacturers and suppliers, in their chapter 11 cases
- Six Flags - represented the debtors, significant operators of amusement parks, in their chapter 11 cases
- PHP Healthcare - represented the debtor, a large managed healthcare provider, in its chapter 11 case
- Crown Village Farm - represented the debtor, a single asset real estate debtor, in its chapter 11 case
- Hoop Holdings - represented the debtor, which previously operated the Disney Stores, in its chapter 11 case
- Special Devices - represented the debtor, a leading manufacturer of component parts used in the automobile, aerospace and defense, and mining and blasting industries, in its chapter 11 case
- Mervyn's - represented the debtor, a major department store chain in the Southwest, in its chapter 11 case
- Dura Automotive - represented the debtors, leading manufacturers and suppliers of automotive parts, in their chapter 11 cases

Publications

- "*In re 15375 Memorial Corp.*: One More Look," *ABI Journal*, April 2011
- "Does Rule 2019 Apply to Ad Hoc or Informal Committees?," *The Bankruptcy Strategist*, April, 2010
- "DE Bankruptcy Court Enforces X-Clause," *The Bankruptcy Strategist*, April 2008
- "A Measured Response to Critics of Delaware Venue," *American Bankruptcy Institute Journal*, April 2007
- "Subject Matter Jurisdiction Over Pre-Petition State Law Claims," *The Bankruptcy Strategist*, January 2006
- "Delaware Bankruptcy Court Announces Bright-line Rule for Use of Lock-up Agreements in Chapter 11 Cases," *ABI Journal*, February 2003

- "Written Consents - A Powerful Tool in Hostile Battles for Corporate Control,"
Delaware Journal of Corporate Law, 1989

Awards

- *Chambers USA*
- *The Best Lawyers in America*
- *The Deal*
- *Super Lawyers*
- *Lawdragon*
- *Who's Who Legal*

Leadership

- Bencher, Delaware Bankruptcy Inn of Court
- Delaware State Bar Association, Bankruptcy Section, Past Chair

Education

- J.D., *magna cum laude*, Widener University School of Law, 1989
- B.S., Pennsylvania State University, 1985

Admitted to Practice

- Delaware, 1989
- United States District Court, District of Delaware, 1990
- United States Court of Appeals, Third Circuit, 1991

Clerkships

- Hon. Joseph J. Longobardi, U. S. District Court, District of Delaware, 1989-1990
- Hon. Randy J. Holland, Delaware Supreme Court, 1987-1988, 1988- 1989 (Wolcott Fellowship)

Pro Bono Activities

- *Guardian ad Litem*, Delaware Family Court

Practices

- Bankruptcy & Corporate Restructuring
- Alternative Dispute Resolution

