

## Russell W. Mills

### Partner

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**HIGHLY TECHNICAL AND REQUIRING BOTH STRATEGY AND PATIENCE, BANKRUPTCY LAW CAN BE A COMPLEX MAZE EVEN FOR ATTORNEYS WHO DO NOT PRACTICE IT REGULARLY. WITH THREE DECADES OF EXCLUSIVE BANKRUPTCY PRACTICE AND AN UNDERLYING ACCOUNTING BACKGROUND, RUSSELL ADVISES AND COUNSELS DEBTORS, CREDITORS AND TRUSTEES IN NAVIGATING THEIR OPTIONS WHEN CONFRONTED WITH BANKRUPTCY ISSUES.**

An experienced bankruptcy attorney, Russell has represented Chapters 7, 11, 9 and 15 debtors, creditors and others in all manner of bankruptcy issues before bankruptcy courts in most jurisdictions across the country. He has extensive experience in many industries including institutional lending, private equity lending, hotel and hospitality, oil and gas, manufacturing, real estate development, housing construction, and professional services.

Russell represents clients in all aspects of commercial bankruptcy and related bankruptcy litigation and appeals, including the representation of secured and unsecured creditors, creditors' committees, trustees, asset purchasers and debtors. His clients include a wide range of major corporations and smaller businesses, individuals, municipalities, associations and bankruptcy trustees. He represents Chapter 7 trustees and liquidating trustees and defendants in bankruptcy proceedings to recover preferential and fraudulent transfers and in litigation against corporate officers and directors. In addition, he has significant experience in bankruptcy matters before the appellate courts, including federal district courts, federal circuit courts and the United States Supreme Court.

As an established thought leader in bankruptcy and financial restructuring, Russell is quoted frequently in the *Dallas Business Journal*, *Dallas Morning News*, CNBC News, professional association journals and other news outlets. In addition, he regularly serves as a volunteer attorney for national and local political campaigns.

## Representative Experience

Russell's recent notable experience includes representation of:



- Officers and directors of a bankrupt telecommunications provider in several proceedings brought by a bankruptcy trustee and creditors to recover for fraud and breach of duty.
- A creditors' committee and liquidating trustee in the Chapter 11 bankruptcy of a medical association.
- An institutional lender in the Chapter 11 bankruptcy of a professional services firm, including provision of debtor in possession (DIP) and exit financing and litigation against the lender to set aside a lien.
- A private equity lender who provided DIP financing in post-confirmation proceedings to recover debt.
- Officers and directors of a former think tank in Chapter 7 proceedings to recover damages for breach of duty.

## Noteworthy

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- Named one of the "Best Lawyers in Dallas" by *D Magazine*, 2021, 2023–2024
- Featured in Best Lawyers®' *Texas' Best Lawyers*, 2020
- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2020–2025
- AV® Preeminent, Martindale-Hubbell since 1995. AV®, AV Preeminent®, Martindale-Hubbell Distinguished<sup>SM</sup> and Martindale-Hubbell Notable<sup>SM</sup> are Certification Marks used under license in accordance with the Martindale-Hubbell® certification procedures, standards and policies

## Activities and Memberships

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- American Bankruptcy Institute
  - Member
- Bar Association of the Fifth Federal Circuit
  - Member
- Dallas Bar Association
  - Bankruptcy Section, Member
  - Commercial Law Section, Member
- State Bar of Texas
  - Member

## Publications

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- "Small Business, Subchapter V Bankruptcies Hit 1,000 Cases," National Association of Credit Management eNews; December 17, 2020.
- "Experts weigh in on court approval of Neiman Marcus' reorganization plan, the retail landscape ahead," *Dallas Business Journal*, quoted; September 14, 2020.
- "An Update on Texas Fraudulent Transfer Law," *Dallas Bar Headnotes*, April 2020.
- "Here's what small businesses need to know about recent change in bankruptcy law," *Dallas Business Journal*, author; April 9, 2020.
- "Small Businesses Feeling the Effects of COVID-19 Should Be Aware of the New Small Business Reorganization Act of 2019," National Association of Credit Management eNews; April 2020.
- "Your Client Receives a Preference Demand - What to Do Now," *Dallas Bar Headnotes*, co-author; July 2018.

## Credentials

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### Education

- JD, University of Mississippi School of Law, *cum laude*, 1992
- BBA, Accounting, Millsaps College, 1985

### Admissions

- Texas
- Supreme Court of the United States
- United States Court of Appeals for the Fifth Circuit
- United States District Court for the Northern, Southern, Eastern and Western Districts of Texas
- United States Bankruptcy Court for the Northern, Southern, Eastern and Western Districts of Texas