

Jason T. Rodriguez Shareholder



Mr. Rodriguez practices corporate litigation and commercial bankruptcy at the Firm. His practice regularly finds him in Court; however, Mr. Rodriguez works with his clients to avoid the need for litigation whenever possible.

Typical clients of Mr. Rodriguez are banks, lenders, commercial creditors, landlords and D&O defendants. Mr. Rodriguez' focus and experience is in asserting the rights of his clients in complex bankruptcy cases, commercial litigation, collection, D&O defense, and pre-bankruptcy and litigation preparation.

Practice Areas

Below are some of the practice areas on which Mr. Rodriguez focuses:

Commercial Bankruptcy

A debtor's bankruptcy filing presents immediate and complex issues to any creditor or interest holder. When a bankruptcy case is filed, prompt and thoughtful action is required to protect rights in the often unpredictable arena of bankruptcy courts. Mr. Rodriguez has represented clients in a range of bankruptcy matters in courts across the United States. His representations often include cash collateral disputes, dismissal and conversions, motions to lift stay, plan confirmation fights, sales free and clear (known as 363 sales) and proof of claim filing and objection defense. Additionally, Mr. Rodriguez represents clients in bankruptcy-specific litigation known as adversary proceedings. Mr. Rodriguez has defended lender liability claims, defended preference recovery claims, complex lien contests, prosecuted dischargeability lawsuits and defended trade secrets, among other matters.

Commercial Litigation

Sometimes litigation is unavoidable. When it is, calculated and aggressive representation can make a positive impact on protecting the rights of clients in the dispute.

Mr. Rodriguez has represented clients in State and Federal Court in litigating lender liability defense, commercial contract disputes, real estate transaction disputes and lien avoidance defense.

Collection

Mr. Rodriguez prosecutes debt collection suits as part of his litigation practice. However, most creditors know that simply obtaining a judgment does not mean the judgment will be paid.

Mr. Rodriguez represents lenders in all stages of collection, beginning with initial demand and negotiations through to litigation and post-litigation collection. Additionally, Mr. Rodriguez provides support for real property foreclosure and personal property sales.

As a part of his collection practice, Mr. Rodriguez represents lenders in seeking receiverships, defending injunctions, and protecting the lender's rights in receivership cases filed by adverse parties or governmental agencies.

D & O Defense

Defending an officer or director from liability often requires an understanding of corporate governance issues as well as very fact intensive analysis of the actions of multiple parties. To assist an officer or director, a thorough understanding of the background as well as work with an insurance carrier is a must.

Mr. Rodriguez represents officers and directors in defense of D&O liability claims. Mr. Rodriguez has represented D&O defendants in complex cases in which multiple D&O have been sued. Mr. Rodriguez' clients can expect a comprehensive analysis of the issues and background as well as strategies created to each individual situation.

Pre-Bankruptcy and Pre-Litigation

In addition to Mr. Rodriguez' practice areas, he is often called into various other matters in the Firm to assist in pre-bankruptcy and pre-litigation matters with the aim of avoiding litigation in any venue.

The industries and representations that Mr. Rodriguez has advised in pre-bankruptcy or pre-litigation are extremely broad and include commercial, industrial, real estate, banking, and consumer matters.

Articles and Presentations

Mr. Rodriguez regularly writes on his blog, www.lenders360blog.com

Bankruptcy 546(e) Safe Harbor Exemptions for Swaps, Securitized Loan Payments, LBO Shareholder Payments and More, presented March 1, 2016

Commercial Loan Guaranties: Drafting and Enforcing Corporate and Personal Guaranties and Non-Recourse Carve-Outs, presented August 11, 2015

Pre-Bankruptcy Real Property Foreclosure as a Preference, May 2014 issue of the Dallas Bar Association Headnotes

Basic Considerations for CPAs Advising Clients Concerning Bankruptcy, presented by Jason Rodriguez 2011

Co-author of *Chapter 11, The Practice of Corporate Reorganization Law*

Introduction to Bankruptcy Considerations for Oil and Gas Lawyers, Texas Wesleyan Law Review, Fall 2009, Vol. 16, p. 93.

Panel Discussion at Texas Wesleyan School of Law regarding Bankruptcy, Spring 2010

Representative Engagements

Below is a sampling of engagements handled by Mr. Rodriguez:

Mr. Rodriguez represented a large institutional creditor in connection with collection and subsequent bankruptcy of its multi-family borrower in El Paso, Texas.

Mr. Rodriguez represented a large institutional lender asserting its junior lien on a Houston area multi-family complex in bankruptcy Court.

Mr. Rodriguez represented an international investment company in a civil collection lawsuit against international defendants in Houston State Court.

Mr. Rodriguez represented a large institutional investor in protecting its secured claim in a Chicago bankruptcy case.

Mr. Rodriguez defended corporate clients in Delaware and New York from preference claims.

Mr. Rodriguez represented a real estate investment company in the acquisition of various properties and assets out of bankruptcy in Dallas and surrounding cities.

Mr. Rodriguez represented a national bank in connection with defending the bank's lien against multiple parties challenging the lien position of the bank in state and federal court in Dallas.

Mr. Rodriguez represented a local bank in guarantor collection and negotiations as well as real property foreclosures and personal property sales and auctions in Dallas and Houston.

Mr. Rodriguez represented a regional bank against a lien challenge and lender liability claim that was tried in multiple federal and state jurisdictions in Dallas and Fort Worth.

Mr. Rodriguez has represented a national bank in asserting its interest in a large SEC receivership case in Utah.

Mr. Rodriguez has represented a large institutional lender in defending a receivership action in California.

Mr. Rodriguez represented an officer in connection with defending the officer from D&O liability after the company failed.

Admissions

Bar Admission

Texas

Court Admissions

Supreme Court of the United States of America

U.S. Court of Appeals for the Fifth Circuit

U.S. District Courts for the Northern District of Texas

U.S. Bankruptcy Courts for the Northern District of Texas

U.S. District Courts for the Eastern District of Texas

U.S. Bankruptcy Courts for the Eastern District of Texas

U.S. District Courts for the Southern District of Texas
U.S. Bankruptcy Courts for the Southern District of Texas
U.S. District Courts for the Western District of Texas
U.S. Bankruptcy Courts for the Western District of Texas
Various Admissions *Pro Hac Vice* around the country

Memberships and Affiliations

State Bar Association of Texas
John C. Ford American Inn of Court
Dallas Area Young Bankruptcy Lawyers Association
Turnaround Management Association
Texas Association of Bank Counsel
American Bankruptcy Institute
Dallas Bar Association
American Bar Association
Tarrant County Bar Association
Bar Association of the Fifth Circuit
Dallas Association of Young Lawyers

Education

B.A. degree from University of Texas
J.D. degree from Texas A&M School of Law formerly Texas Wesleyan School of Law

Awards and Ancillary Activities

Texas Rising Star, 2016
Plano, Texas CERT

Previous Professional Experience

Law clerk to the Hon. D. Michael Lynn, United States Bankruptcy Judge for the Northern District of Texas from August 2008 to August 2009
Associate, The Curtis Law Firm, PC from May 2006 to August 2008