

Richard E. Mikels
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
Tel: (617) 348.1691
Email: rmikels@mintz.com

Date: August 13, 2014

<u>I. Professional</u>	<u>Accrediting Agency/Jurisdiction</u>	<u>Date of Admission</u>
<i>Attorney</i>	<i>Massachusetts</i>	<i>1972</i>

<u>II. Professional Organization</u>	<u>Date of Admission</u>	<u>Active/Inactive</u>
--------------------------------------	--------------------------	------------------------

<u>American Bankruptcy Institute</u>	Approximately 1984	Active
Member of Board of Directors		
Contributing Editor to the Bankruptcy Law Journal		Inactive
Education Committee of Board of Directors		Inactive
Co-Chair Northeast Bankruptcy Institute		Inactive
Co-Chair of Advisory Committee (Plan Issues, Procedures and Structure) of the American Bankruptcy Institute Commission to Study the Reform of Chapter 11		Inactive
Chairman of the ABI Mediation Sub-Committee on Model Rules		Active
<u>American College of Bankruptcy</u>	1991	Active
Fellow		Active
Member of First Circuit Admission Panel		Inactive

Educational Chairperson for the First Circuit		Inactive
Member of Future of the College Committee		Active
First Circuit Regent for American College of Bankruptcy		Inactive
Member of Board of Directors		Inactive
Vice Chair of the Educational Committee of Board of Directors		Inactive
Chair of the Educational Committee		Active
Vice President, American College of Bankruptcy		Active
<u>Boston University – School of Law Alumni Association</u>	1996	Active
Executive Committee		Active
Co-Chair of B.U. Law Fund		Inactive
Co-Chair of Law Firm Challenge		Inactive
President		Inactive
<u>Boston University – School of Law</u>		
Adjunct Professor of Law	2008-Current	Active
Board of Visitors	2005	Inactive
<u>Boston University - School of Management</u>		
Member of Advisory Committee for <i>The Pocket MBA for Lawyers Program</i>		Inactive
<u>Turnaround Management Association</u>	Approximately 1990	Active
Chairman of Programming Committee New England Chapter		Inactive
Director, New England Chapter		Inactive
Faculty of Association of Certified Turnaround Professionals		Inactive

<u>American Bar Association</u>	Approximately 1990	Active
Member		
<u>Boston Bar Association</u>	Approximately 1980	Active
Member		Active
Business Bankruptcy Committee		Active
<u>Association of Commercial Finance Attorneys</u>	Approximately 1982	Active
Member		Active
<u>Commercial Law League of America</u>	Approximately 1981	Active
Member		Active
<u>Massachusetts Bar Association</u>	Approximately 1985	Active
Member		Active
<u>Massachusetts Bar Foundation</u>	Approximately 2000	Active
Fellow		Active

III. General professional experience:

Mr. Mikels is Chair of the firm's Bankruptcy, Restructuring & Commercial Law Practice. With over 40 years of experience in commercial law, workouts, and reorganizations, he maintains a national practice, focusing on insolvency issues, business restructurings, and mediations.

Mr. Mikels is known for representing significant debtor companies (both in Chapter 11 and in out-of-court workouts) including Filene's Basement, Inc. and Malden Mills Industries. Some of the recent cases Richard has been involved with include, New England Compounding Center, Powerwave Technologies, Inc., Manistique Papers, Inc., Oscient Pharmaceuticals Corporation, Commpartners, LLC, Sleep HealthCenters LLC, Alpha Omega Jewelers and The Upper Crust, LLC. Richard represents various constituencies, including debtors, secured and unsecured creditors, creditors' committees, board of directors, insurance companies, hedge funds, claims traders, and acquirers of businesses.

Mr. Mikels serves as an adjunct professor of law at Boston University School of Law.

He has authored and edited articles and chapters in numerous publications. Mr. Mikels is a vice president of the American College of Bankruptcy and also serves as the chair of that organization's Education Programs Committee.

Mr. Mikels has conducted several mediations of commercial law disputes and serves as the Chair of the American Bankruptcy Institute Subcommittee drafting Model Bankruptcy Rules for Mediation. Mr. Mikels is also on the faculty of the Bankruptcy Mediation Course conducted by the American Bankruptcy Institute and St. John's University.

IV. General pertinent experience:

- *Chairman of the ABI Mediation Sub-Committee on Model Rules (2012 – Present)*
- *Faculty, Forty-Hour Bankruptcy Mediation Training, American Bankruptcy Institute and St. John's University held at St. John's University School of Law, New York, NY, December 2012 and December 2013.*
- *Served as Mediator in number of cases under the Bankruptcy Code to help parties negotiate plans or resolve disputes. Also mediated a family financial dispute.*

V. Mediation training:

- *Completion of the American Bankruptcy Institute and St. John's 40-hour Bankruptcy Mediation Training dated December 10, 2011*

VI. Pertinent bankruptcy training:

Over 40 years of experience and speaking at many programs nationwide.

VII. General pertinent business or legal experience:

- *Speaker, Lightning Rounds with a Judge, 21st Annual Northeast Bankruptcy Conference, American Bankruptcy Institute, Stowe, VT, July 2014. Panel discussed Mediation.*
- *Co-Author, Did the Supreme Court Finally Explain Marathon and Stern?, Client Advisory, June 2014*
- *Speaker, How to Defeat a Single Asset Real Estate Case, Commercial Law League of America, Webinar, June 2014.*

- *Panelist, Bankruptcy Then and Now, 24th Annual Bankruptcy Bench Meets Bar, Boston Bar Association, Boston, MA, May 2014*
- *Guest Lecturer to a bankruptcy law session at the Massachusetts Institute of Technology – Single Asset Real Estate Bankruptcy, Cambridge, MA, May 2014.*
- *Speaker, Where the Work Is (and Isn't), 32nd Annual Spring Meeting, American Bankruptcy Institute, Washington, DC, April 2014.*
- *Guest Lecturer, New England School of Law Bankruptcy Class, April 2014.*
- *Speaker, M. Ellen Carpenter Financial Literacy Training for Boston Latin School, Boston, MA, March 2014.*
- *Faculty, Forty-Hour Bankruptcy Mediation Training, American Bankruptcy Institute and St. John's University, held at St. John's University School of Law, New York, NY, December 2013.*
- *Moderator of Judicial Panel and Author of related materials, Do's and Don'ts of Written Advocacy, American Bankruptcy Institute 25th Annual Winter Leadership Conference, Rancho Palos Verdes, CA, December 2013.*
- *Speaker, Subsidiary Obligations on the Debt, Complex Financial Restructuring Program, American Bankruptcy Institute, Philadelphia, PA, November 2013.*
- *Speaker and Author of related materials, The Importance of Negotiation in Chapter 11, National Conference of Bankruptcy Judges, Atlanta, GA, October 2013.*
- *Speaker, How to Defeat a Single Asset Real Estate Case, Commercial Law League of America, Webinar, August 2013.*
- *Judge at YPO-WPO Harvard Parent Teen Business Program held at Harvard Law School, Cambridge, MA, July, 2013.*
- *Guest Lecturer to a bankruptcy law session at the Massachusetts Institute of Technology – Single Asset Real Estate Bankruptcy, Cambridge, MA, May 2013.*
- *Moderator of Judicial Panel, Views from the Bench, 7th Annual Credit and Bankruptcy Symposium, Turnaround Management Association, Mohegan Sun Casino, Uncasville, CT, May 2013.*
- *Contributing Editor, Is Possession a Requirement for Turnover?, On the Edge column of the ABI Journal, April 2013 Issue.*
- *Expert Witness, testified at the American Bankruptcy Institute's Bankruptcy Commission to Study Chapter 11 Reform: Committee on Plan Process Issues, Boston, MA November 2012.*
- *Panel Moderator, Advanced Education Session: Exploring Troubled Business Situations, 24th Annual Conference of the Turnaround Management Association (TMA), Boston, MA, November 2012.*

- *Speaker, and Author of Related Materials, Post Confirmation Issues, National Conference of Bankruptcy Judges, San Diego, CA, October 2012.*
- *Speaker, Whose Process Is This, Anyway?, 9th Annual Complex Financial Restructuring Program at 20th Annual Southwest Bankruptcy Conference, (CFRP), Las Vegas, NV, September 2012.*
- *Speaker and Author of related materials, Stern v. Marshall: One Year Later, 19th Annual Northeast Bankruptcy Conference, American Bankruptcy Institute, Bretton Woods, NH, July 2012.*
- *Contributing Editor, Can a Counterparty to an Executory Contract Perform Preassumption?, On the Edge column of the ABI Journal, May 2012 Issue.*
- *Guest Lecturer to a bankruptcy law session at the Massachusetts Institute of Technology – Single Asset Real Estate Bankruptcy, Cambridge, MA, April 2012.*
- *Guest Lecturer to a bankruptcy law class for New England Law School held at Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., Boston, MA, April 2012.*
- *Speaker, Executive LL.M. Luncheon Series, Boston University School of Law, Boston, MA, March 2012.*
- *Speaker, M. Ellen Carpenter Financial Literacy Training for Reading High School Students, Reading, MA, March 2012.*
- *Speaker, Everything the General Counsel Should know about Chapter 11 Bankruptcy, Thomson Reuters/West Law Legal Education Center, Webinar, February 2012.*
- *Contributing Editor, How Developments in Bankruptcy Practice Have Significant Impact on the Financial Markets and the Economy, On the Edge column of the ABI Journal, December/January 2012 Issue.*