

## Alexander Lees

Partner

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Alexander B. Lees is a partner in the New York office of Milbank. He is Practice Group Leader of the firm's Litigation & Arbitration Group, as well as a member of the Financial Restructuring Group.

### Primary Focus & Experience

Mr. Lees is a commercial litigator whose practice focuses primarily on bankruptcy, insolvency, and restructuring-related litigation. He has represented creditors, debtors, private equity sponsors, official committees, ad hoc groups, collateral agents, and bidders in bankruptcy proceedings and other litigation matters arising out of insolvency scenarios and financial restructuring transactions.

Mr. Lees's significant representations include:

- Group of lender defendants in litigation brought by foreign representative in chapter 15 case of Schahin Holding and related entities (S.D.N.Y. Bankruptcy and District Court).
- Official Committee of Unsecured Creditors in Talen Energy's chapter 11 case (S.D. Tex. Bankruptcy Court).
- An ad hoc committee of term lenders in Heritage Power's chapter 11 case (S.D. Tex. Bankruptcy Court).
- Hartree Partners as secured lender, debtor-in-possession lender, and successful bidder for the debtor's assets in Stored Solar Enterprise's chapter 11 case (D. Me. Bankruptcy Court).
- Ad hoc group of lenders and administrative agent in litigation against Quorum Health for breach of its credit agreement (S.D.N.Y. District Court).
- The Raymond Sackler family, equity holders in the Purdue Pharma chapter 11 case.
- Centre Partners Management and individual directors and officers in a fraudulent transfer and breach of fiduciary duty action brought by DSI Renal Holdings' chapter 7 trustee (D. Del. Bankruptcy Court).
- Mercuria Energy Trading as debtor-in-possession lender and successful bidder for the debtor's assets in Aegean Marine Petroleum's chapter 11 case (S.D.N.Y. Bankruptcy Court).
- Official Committee of Unsecured Creditors in First Energy Solutions' chapter 11 case (N.D. Ohio Bankruptcy Court).

- Official Committee of Unsecured Creditors in M&G USA's chapter 11 case (D. Del. Bankruptcy Court).
- Verizon, JPMorgan, and MUFG in fraudulent transfer and plan objection proceedings in GenOn Energy's chapter 11 case (S.D. Tex. Bankruptcy Court).
- TP Management LLP, as collateral manager, in proceedings to dismiss an involuntary bankruptcy petition filed against CDO Taberna Preferred Funding IV (S.D.N.Y. Bankruptcy Court).
- Steering committee of lenders in Ocean Rig's cross-border restructuring and chapter 15 proceeding (S.D.N.Y. Bankruptcy Court).
- Ad hoc committee of secured creditors in Midstates Petroleum's chapter 11 case (S.D. Tex. Bankruptcy Court).
- Official Committee of Unsecured Creditors in Breitburn Energy's chapter 11 case (S.D.N.Y. Bankruptcy Court).
- Education Management in lawsuit by bondholders to enjoin out-of-court restructuring based on the Trust Indenture Act (S.D.N.Y. District Court and Second Circuit).

Before joining Milbank, Mr. Lees was an associate in the Restructuring & Finance and Litigation departments at Wachtell, Lipton, Rosen & Katz.

## Recognition & Accomplishments

Mr. Lees is a recommended attorney in the *Legal 500 USA's* 2024 edition and a "Future Star" in *Benchmark Litigation's* 2025 edition. The American Bankruptcy Institute named Mr. Lees to its "40 Under 40," class of 2021, which identifies the top industry professionals under the age of 40. He also received recognition in *Benchmark Litigation's* "40 and Under Hot List," which honors the achievements of the nation's most accomplished litigators under 40. He is a member of the Federal Bar Council's Bankruptcy Litigation Committee.

Mr. Lees received his law degree from Stanford Law School in 2006, where he was elected to the Order of the Coif. He received his B.A. in philosophy, *magna cum laude*, from Williams College, where he was elected to *Phi Beta Kappa*. Mr. Lees served as law clerk for the Honorable Debra A. Livingston of the United States Court of Appeals for the Second Circuit (2007-2008), and for the Honorable Lewis A. Kaplan of the United States District Court for the Southern District of New York (2006-2007).

Mr. Lees is the author or co-author of several publications, including:

- "*CNH v Cleveland: impact of Court of Appeals decision on out-of-court European high yield restructurings*," *Butterworths Journal of International Banking and Financial Law* (February 2021)
- *Commercial Litigation in New York State Courts*, 5th Ed., Ch. 129 "Fraudulent Transfer" (October 2020); the authors of this treatise, including Mr. Lees, were given the 2021 Conspicuous Service Award by the New York County Lawyers Association.
- *Supreme Court Permits Bankruptcy Courts to Issue Final Judgments with Parties' Consent*, Harvard Law School Bankruptcy Roundtable (June 2015)
- *Delaware Court of Chancery Revisits Creditor Derivative Standing*, Harvard Law School Forum on Corporate Governance and Financial Regulation (May 2015)
- *Debt Repayments as Fraudulent Transfers*, 88 Am. Bankr. L.J. 307 (2014)
- *Recent Developments in Bankruptcy Code Section 363 Sales*, Rev. of Banking & Fin. Servs., Vol. 26, No. 8 (August 2010)

- Note, *The Jurisdictional Label: Use and Misuse*, 58 Stan. L. Rev. 1457 (2006)

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## ADDITIONAL DETAILS

### EDUCATION

Stanford Law School, J.D.

Williams College, B.A.

### ADMISSIONS

New York

US District Court for the Southern District of New York

US Court of Appeals for the Second Circuit

US District Court for the Eastern District of New York

US Court of Appeals for the Sixth Circuit

US Supreme Court

### CLERKSHIPS

Honorable Debra A. Livingston of the United States Court of Appeals for the Second Circuit (2007-2008)

Honorable Lewis A. Kaplan of the United States District Court for the Southern District of New York (2006-2007)

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## EXPERIENCE

Financial Restructuring

General Commercial Litigation

Litigation & Arbitration

United States

## FEATURED NEWS

Milbank Attorneys Author *Law360* Article on Lessons for Debt Security Holders After Bristol-Myers Win

Dismissal of \$6.4B Lawsuit Serves as a Reminder to Debt Security Holders to Obtain Depositary Proxies Before Pursuing Litigation

20 Milbank Lawyers Recognized in *Benchmark Litigation* 2025 US Guide

Twenty Milbank Lawyers Recognized in *Benchmark Litigation* 2024 US Guide

Milbank Celebrates Pro Bono Highlights at 31st Annual Pro Bono Awards