

## John G. Loughnane

Partner

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John G. Loughnane is a Partner in the Business Department. John's experience, which includes service in-house for a publicly traded technology company, enables him to help clients navigate a range of business obstacles.

### OVERVIEW

Business leaders rely on John's broad experience and expansive problem-solving skills in structuring and negotiating a variety of business transactions. John's deep insight into distressed circumstances helps clients anticipate issues, structure deals and draft appropriate and enforceable language. John's focus on achieving business objectives stem in part from his training and work as a commercial mediator. Clients find solutions with John's assistance in mergers and acquisitions, financings, and licensing, as well as restructurings, recapitalizations, going concern sales and liquidations occurring both in and out of court. Clients leverage John's experience representing a variety of interests - including companies, investors, secured parties, unsecured parties, official creditors' committees, trustees, vendors, licensors/licensees, landlords, employees, officers, directors, and buyers.

John is a leader in the American Bar Association, the American Bankruptcy Institute and the Turnaround Management Association. He is an active member of the Boston Bar Association, earned the Certified Information Privacy Professional (CIPP/US) designation from the International Association of Privacy Professionals (IAPP) and is a member of InfraGard. John speaks and writes on financing and technology issues on his blog, [ForwardThinkingAdvocate.com](http://ForwardThinkingAdvocate.com).

John serves his community by volunteering in three focus areas: economic opportunity, education and youth development. He co-chairs the Boston Bar Association's M. Ellen Carpenter Financial Literacy Program benefitting high school students around Massachusetts. He also serves on the Advisory Board for the Veteran Entrepreneurial Training and Resource Network (VETRN) which provides military veterans enrolled, at no cost, the skills, resources, mentoring and networking necessary to grow their small businesses. John serves on the Charter Review Commission of his community and formerly served as chair of the

### PRACTICES

Corporate and Securities

Financial Restructuring and Bankruptcy

Mergers, Acquisitions and Strategic Transactions

Technology Transactions

### BAR AND COURT ADMISSIONS

Massachusetts

Rhode Island

U.S. Court of Appeals for the First Circuit

U.S. District Court for the District of Massachusetts

U.S. District Court for the Eastern District of New York

U.S. District Court for the Northern District of New York

U.S. District Court for the Southern District of New York

U.S. Supreme Court

### EDUCATION

- The George Washington University Law School, *Honors*, J.D.
- College of the Holy Cross, A.B.

### MEMBERSHIPS

American Bar Association (ABA) Steering Committee Member, Legal Technology Resource Center

The American Bankruptcy Institute, Co-Chair, Commercial and Regulatory Law Committee; former Co-Chair, Mediation Committee; former Co-Chair, Emerging Industries and

community's Youth and Family Services Commission. Other community service has included Little League president, scout leader and youth coach for baseball, basketball and soccer teams.

John has also served as a board member of the George Washington University Law Alumni Association and as president of the Holy Cross Club of Boston as well as the chair of the Holy Cross Lawyers Association. Following his graduation from law school, John served as a law clerk for the Honorable Ronald R. Lagueux of the United States District Court for the District of Rhode Island.

## RECOGNITION AND INVOLVEMENT

Massachusetts Super Lawyers, 2005-2023

The Best Lawyers in America<sup>®</sup>, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2016-2024

Peer Review Rated as AV<sup>®</sup> Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system

## REPRESENTATIVE MATTERS

Represented numerous companies and not for profit institutions in connection with obtaining, documenting and implementing financing relationships in a variety of industries including retailers, manufacturers, commercial property owners, educational institutions and others.

Represented secured lender in connection with exercise of remedies in connection with hospitality project in Massachusetts.

Served as court-appointed examiner with expanded powers to supervise a sale of a financial payment company. Worked with company management, creditors and numerous bidders expressing interest in acquiring the company. Supervised the closing to the winning strategic buyer shortly after a court-supervised auction.

Represented debtor in possession lender to private equity portfolio company focused on consumer products in connection with orderly sale of assets and plan of liquidation.

Represented contract manufacturer both before and during the chapter 11 of its major biopharmaceutical customer. Work included guidance on sales of all assets pursuant to Section 363, payment of claims and documentation of agreements and licenses with buyer of reorganized assets.

Technology Committee

Turnaround Management Association, former Trustee, TMA Global and past President, Northeast Chapter

Boston Bar Association, past Co-Chair, Bankruptcy Section

Certified Information Privacy Professional (CIPP/US)

Represented joint venture party in cross licensing technology transactions focused on health care compliance and data security issues.

Represented medical device company in sale of all assets pursuant to Uniform Commercial Code Article 9 secured party sale.

Represented strategic buyer in connection with sale process for selected assets of large Chapter 11 retail debtor pending in New York.

Represented venture backed contract party in pursuing substantial contract rejection damage claim in chapter 11 proceedings of technology company which enabled client to be paid the full amount of its claim.

Represented consumer products wholesale company in connection with its financing arrangements and ultimate sale of assets to strategic buyer.

Represented development partner of clean energy project in court-supervised sale process.

Represented emerging growth technology company in sale to strategic buyer.

Represented large healthcare institution in connection with its rights as licensee in distressed asset sale of technology licensor for inventory tracking system.

Represented secured lender financial institution in connection with its loan to owner/operator of clean energy project. Obtained repayment for client from proceeds sale of assets facilitated by liquidating trustee.

Represented secured lender financial institution in workout and repayment of financing to real estate developer including negotiation and documentation of debtor in possession post-petition financing and payment in full.

Represented secured lender in obtaining relief from the automatic stay to enforce rights and proceed against real property collateral in upstate New York in the hospitality/lodging industry.

Represented debtor in possession lender for private equity fund invested in energy project in connection with its support of a consensual Chapter 11 reorganization of the project.

Represented equipment lessor in obtaining payment and return of leased networking and computer equipment from Chapter 11 proceedings of corporate debtor/lessee cloud storage provider pending in Delaware.

Represented numerous commercial landlords and contract parties in connection with distressed counterparties exercising rights to assume, assign, or reject.

## IN THE NEWS

Best Lawyers® Recognizes 45 White and Williams Lawyers  
*Firm News*, 8.18.23

Congratulations to all of our 2023 Attorneys Named as Super Lawyers and Rising Stars  
5.25.23

White and Williams Welcomes New Lateral Partners  
For Immediate Release  
11.1.22

## **PUBLICATIONS**

State Law Receivership for Commercial Real Estate: UCRERA Becomes Effective in Connecticut  
6.26.23