

**EXHIBIT D**



## Lance Jurich

### Co-Chair, Bankruptcy, Restructuring and Creditors' Rights

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Lance Jurich, a partner in Loeb & Loeb's Bankruptcy, Restructuring and Creditors' Rights Practice Group in its Los Angeles office, serves as a trusted advisor to many clients. He is a commercial litigator who specializes in business bankruptcies, restructurings and the enforcement of creditors' rights. Mr. Jurich has broad experience representing financial institutions and handles complex matters for these clients. He also represents fiduciaries, including receivers, assignees for the benefit of creditors, and trustees in all types of forums.

Mr. Jurich's depth of experience includes bankruptcy and creditors' rights; real estate disputes; Ponzi scheme litigation; preference and fraudulent transfer litigation; partnership disputes; Chapter 11 plan issues; 363 purchases of assets; interest rate disputes; valuation disputes; assignments for the benefit of creditors ("ABC's"); lender liability cases; prejudgment remedies; guarantor litigation; receiverships; and bankruptcy appellate litigation.

Mr. Jurich's practice covers a broad spectrum of complex insolvency issues for clients in diverse industries, including real estate, entertainment, healthcare, hotel and gaming, agricultural, and oil and gas. He represents domestic and international banks, insurance companies, indenture trustees, hedge funds, private equity groups, distressed debt investors, trade creditors, strategic purchasers of assets in bankruptcies, entertainment companies, real estate developers, receivers/court fiduciaries, hospitals/healthcare providers, and agricultural lenders and agribusinesses.

#### Practice Areas

- Bankruptcy, Restructuring and Creditors' Rights
- Litigation
- Finance

#### Representative Experience

- Acting as bankruptcy co-counsel to C&J Energy Services Ltd. in a voluntary reorganization under Chapter 11 of the U.S. Bankruptcy Code. C&J, a leading provider of well construction and oilfield services in the U.S. and Canada, filed for Chapter 11 on July 20, 2016 in the U.S. Bankruptcy Court in Houston. The reorganization will implement the previously announced Restructuring Support Agreement that C&J executed with its lenders, substantially deleveraging the company's balance sheet and allowing for the elimination of approximately \$1.4 billion in existing debt.



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- Represented a cutting edge video e-sports platform operator, as debtor, in a high-speed Chapter 11 bankruptcy case. Loeb handled all aspects of the company's reorganization, including negotiating a DIP credit facility and guiding the debtor through confirmation of its plan of reorganization. The plan -- which was confirmed just approximately four months after the bankruptcy filing -- successfully wiped away all of the company's existing equity and recapitalized the company through a re-issuance of new stock to its creditors. Additionally, the plan also facilitated a consolidation with online gaming community Victorious Gaming and granted equity to Fuel Technologies, a global creative agency helping develop the gaming platform.
- Representing a pooled EB-5 lending vehicle (a New Commercial Enterprise) in connection with a restructuring of over \$500 million of debt on a high-profile commercial real estate project. It is believed to be the largest restructuring of EB-5 indebtedness to date. Investment located in Targeted Investment Area.
- Represented off-shore Chinese investor in purchase and enforcement of promissory note secured by California real estate (mixed use hotel and shopping center). Represented client in connection with bankruptcy litigation against borrower and obtained multi-million judgment against guarantor. After prevailing at every level, our client obtained ownership of hotel and shopping center through foreclosure.
- Representing several creditors and financial institutions in Chapter 11 bankruptcy of Relativity Media and its affiliates.
- Represented largest creditor in Las Vegas bankruptcy of the Hooters Hotel and Casino. Lender purchased hotel in 363 sale.
- Represented syndicate of lenders in opposition to debtor's cramdown plan on a 300-unit, extended-stay hotel in Nevada. Defeated debtor's plan after a two-day confirmation trial.
- Represented financial institution in its appeal of a bankruptcy court order. Obtained complete reversal of the bankruptcy court order by the district court. The case was appealed to the Ninth Circuit.
- Represented artist/songwriter in overturning bankruptcy court confirmation order. Bankruptcy Appellate Panel and the Ninth Circuit reversed the order confirming the Chapter 11 bankruptcy plan.



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- Represented secured lender in pre-bankruptcy restructuring and subsequent foreclosure of 90,000-acre mine in the Holbrook Basin of Arizona (purportedly one of the largest foreclosures in Arizona history).
- Represented unsecured creditors' committee in connection with a joint plan submitted with debtor. Joint plan was confirmed.
- Represented institutional lender in litigation regarding enforceability of early pre-payment penalty charge challenged by borrower. Borrower ultimately dismissed all challenges to applicable contract clause.
- Represented insurance company and special servicer in defending a fraudulent transfer action brought by bankruptcy court trustee to recover multi-million dollar transfers made to the lender and the loan servicer.
- Represented chairman of creditors' committee and his family in connection with fraudulent transfer claims brought by the bankruptcy trustee in connection with Ponzi scheme.
- Represented a Chinese company in the Delaware bankruptcy auction of the special effects and production house Digital Domain. Successfully negotiated the purchase of a desirable film project out of the bankruptcy.
- Represented senior entertainment lender in enforcement and collection efforts against foreign film distributors.
- Represented hedge fund in the workout of a distressed debt secured by, among other things, the rights to "Star Trek (The Tour)." Handled the foreclosure and workout of the secured loan.
- In the Franchise Pictures bankruptcy, represented several creditors, including Gaga Communications, one of Japan's largest film distributors.
- Represented institutional lender in the exercise of its rights under a defaulted credit facility by foreclosing on a film library, and negotiated and closed the immediate resale of the library for \$50 million. Also, he has represented numerous entertainment lenders and foreclosed on more than 1,000 film and television properties.
- Represented several entertainment payroll companies in connection with their claims.
- Represented secured creditor in connection with its multi-million dollar secured real estate claim.
- Represented secured lender in bankruptcy filed by developer in connection with secured claim and sale of iconic condominium project located near "L.A. Live" in downtown Los Angeles.



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- Represented the secured lender in a successful Chapter 11 restructuring of a prominent motorsports park. Formulated a prearranged plan to effectuate the sale, which was confirmed within four months of the bankruptcy filing.
- Represented crop lender and packaging claimants in agricultural bankruptcies and out-of-court restructurings.
- Represented secured lender in connection with out-of-court restructuring of a Northern California winery.
- Represented creditors and hospitals in connection with numerous bankruptcies.
- Represented major investment banks in connection with repurchase agreements, warehouse financings and investments in numerous mortgage companies, including Ownit Mortgage Solutions, American Home Mortgage, Mortgage Lenders Network, Aegis Mortgage Corporation, First Magnus Financial and ResMAE Mortgage Corporation.
- Obtain writs of attachment and take other prejudgment enforcement actions in connection with the enforcement of credit facilities and guarantees.
- Obtained the appointment of receivers in over 300 real estate matters to oversee and manage commercial properties, including shopping centers, health clubs, office buildings, and condominium projects.
- Represented court-appointed receivers in FTC and SEC matters.

### Distinctions

- Named "Southern California Super Lawyer" in Bankruptcy & Creditor/Debtor Rights by Thomson Reuters (2005-2018)
- Highest "AV Preeminent (5 out of 5)" Professional Rating, *Martindale-Hubbell Law Directory*
- Named "Best Lawyer" in Bankruptcy and Creditor Debtor Rights (2016-2018), *The Best Lawyers in America*, published by Woodward White, Inc

### Affiliations

- Member, Special Assets Management Association (SAMA)
- Member, California Bankruptcy Forum
- Editor, *California Bankruptcy Journal* (2005-present)



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- Advisory Planning Board, Annual Southwest Bankruptcy Conference, Las Vegas American Bankruptcy Institute; Advisory Planning Board, Annual “Bankruptcy Battleground West,” Los Angeles

### Publications

- Co-author, No Free Pass on Transfer Liability; Good Faith Defense Alive and Well: The Pros and Cons of *Gredd v. Bear, Stearns Securities Corp. for Prime Brokers*, *California Bankruptcy Journal*, Vol. 29, No. 4, (2008)
- Co-author, Deepening Insolvency: A Doctrine in Decline?, *California Bankruptcy Journal*, Vol. 29, No. 2 (2007)

### Media Mentions

- How Rich Chinese Use Visa Fixers to Move to the U.S., *Bloomberg Businessweek* (September 14, 2017)
- Hooters Casino Hotel Lender to Bid \$60M at Auction, *Law360* (February 6, 2012)
- Principal Creditor Will Bid \$60 Million for Hooters Hotel, *Las Vegas Review-Journal* (January 18, 2012)
- New Yorker Films Closes, *Video Business* (February 23, 2009)

### Events

- Speaker, California Bankruptcy Forum 30th Annual Insolvency Conference (May 18-20, 2018)
- Speaker, Association of Corporate Counsel (ACC) 23rd Annual Gala Dinner (May 8, 2018)
- Speaker, The Brewing Storm of EB-5 Defaults: Navigating the Workouts of EB-5 Loans (February 14, 2017)
- Speaker, UCLA Entertainment Symposium (March 11-12, 2016)
- Speaker, Loeb & Loeb IP/Entertainment Law Conference (September 17, 2015)
- Speaker, 4th Annual SAMA Conference, Ojai, California (May 2014)
- Speaker, American Bankruptcy Institute Bankruptcy Battleground West Conference (March 4, 2011)

### Education

Boston University School of Law, J.D., 1987  
Arizona State University, B.S., 1984



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### **Bar Admissions**

California, 1987

### **Court Admissions**

California State Supreme Court, 1987

U.S. District Court for the Central District of California, 1988

U.S. District Court for the Eastern District of California, 1999

U.S. District Court for the Southern District of California, 2005

U.S. District Court for the Northern District of California, 2005

U.S. Court of Appeals, Ninth Circuit, 2005