

# **EXHIBIT E**



## Benjamin King Partner

10100 Santa Monica Boulevard  
Suite 2200  
Los Angeles, California 90067

**Direct** 310.282.2279

bking@loeb.com



Benjamin King is a commercial litigator and creditors' rights attorney who has particular expertise in protecting creditors' interests through the use of prejudgment remedies such as attachment, receiverships, and injunctive remedies. Mr. King has represented national financial institutions, a number of California lenders, and receivers in, among other matters, actions involving the exercise of loan remedies, workouts of troubled loans, and actions for foreclosure upon loan collateral. Mr. King has litigated matters on behalf of creditors in both pre-bankruptcy and bankruptcy contexts, including lender liability actions, real-estate loan disputes, contract disputes, judicial foreclosures, receivership actions, fraudulent conveyance matters, adversary proceedings (including preference actions), non-dischargeability actions, and a variety of business tort disputes.

In addition to his representation of lenders, other creditors and receivers, Mr. King has represented firm clients in a variety of litigation matters including, among other things, class actions, unfair trade practices disputes, FTC actions, Lanham Act claims, copyright disputes, and publicity rights lawsuits. Mr. King has developed particular expertise assisting firm clients in ensuring that their websites are accessible to disabled persons in compliance with the requirements of the Americans with Disabilities Act.

Mr. King's pro bono efforts include work for Children's Rights, a national organization that utilizes class action lawsuits and other methods to affect positive change for abused and neglected children and to bring much needed reform to state foster care systems.

### Practice Areas

- Bankruptcy, Restructuring and Creditors' Rights
- Litigation
- Consumer Action and Regulatory Defense

### Representative Experience

- Obtained ex parte prejudgment writ of attachment on behalf of firm client in excess of \$17 million in a contested matter based upon allegations of breach of contract and fraud.
- Obtained ex parte appointment of a receiver in Contra Costa County over real property in connection with defaulted loan in excess of \$180 million.



BENJAMIN KING  
PARTNER

- Obtain writs of attachment and take other prejudgment enforcement actions in connection with the enforcement of credit facilities and guarantees.
- Represented a receiver appointed by the Federal Trade Commission in a complex fraud action to completely take over a corporation alleged to have committed widespread fraud on the public
- Represented a receiver in contempt proceedings against building owners and related parties following alleged non-compliance with receivership order
- Obtained prejudgment writ of attachment and judgment against guarantor in connection with two real estate development loans exceeding \$28 million.
- Obtain the appointment of receivers to oversee and manage numerous commercial properties, including shopping centers, health clubs, office buildings, and condominium projects.
- Obtained prejudgment writ of attachment against guarantor of condominium redevelopment loan in excess of \$2.7 million.
- Represented lender in workout of \$7.2 million real property loan involving intended shopping center development in Shasta County, California.

### Distinctions

- Named "Southern California Super Lawyer" in Bankruptcy & Creditor/Debtor Rights by Thomson Reuters (2017-2018)
- Chair of the Los Angeles County Bar Association's Remedies Section, 2013-2014
- Significant jury trial experience, including certification through the Los Angeles County Bar Association's Trial Advocacy Project
- Member, Los Angeles County Bar Association, California Receiver's Forum, Los Angeles Bankruptcy Forum, Litigation Section of State Bar of California
- Rising Star, Southern California Super Lawyers, *Los Angeles* magazine (2006 and 2007)

### Events

- Speaker, IMN's 4th Annual Bank & Financial Institutions Special Assets Executive Conference on Real Estate Workouts (September 9-10, 2013)
- Speaker, Turnaround Management Association Western Regional Conference (July 11-13, 2012)



BENJAMIN KING  
PARTNER

- Co-Producer and Moderator, The New Rules of the Road in Commercial Real Estate, California Bankruptcy Forum's 22nd Annual Insolvency Conference, Monterey, California (May 21-23, 2010)

### Education

University of Southern California, Gould School of Law, J.D., 1999, Staff Member, Executive Senior Editor, *Southern California Law Review*, James Holbrook Award for Excellence in Service to the *Law Review* (1998)

University of Southern California, B.A., 1991, *magna cum laude*

### Bar Admissions

California, 1999

### Court Admissions

California State Courts, 1999

U.S. District Court for the Eastern District of California, 2000

U.S. District Court for the Northern District of California, 2000

U.S. District Court for the Central District of California, 2000

U.S. District Court for the Southern District of California, 2000