

SALLY MCDONALD HENRY
3311 18th St.
Lubbock, Texas 79409-0004
salhenry@att.net (806) 781-4816

EXPERIENCE

JOHN E. KRAHMER PROFESSOR OF BANKING LAW; JOHN E. KRAHMER PROFESSOR OF COMMERCIAL LAW, TEXAS TECH SCHOOL OF LAW, Lubbock, Texas. September 2018– present. Teach Commercial Law (Articles 3, 4, and 9 of the Uniform Commercial Code and related federal statutes), Bankruptcy, Advanced Bankruptcy, Corporate Restructuring and Banking Regulation. Presented numerous voluntary bar review classes. Assistant Professor, Texas Tech School of Law, August 2012 – September 2015; Associate Professor, Texas Tech School of Law, September 2015 – September 2017; Professor, Texas Tech School of Law, September 2017 – present.

- Black Law Students' Association Professor of the Year, 2017-2018.
- Hispanic Law Student Associations' Professor of the Year, 2016-2017; 2017-2018.
- Black Law Students' Association Award of Appreciation, 2016-2017.

PARTNER, SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP, New York, New York. Corporate Restructuring Department. April, 1991 – December, 2011. Lead trial lawyer for debtor, Chapter 11 trustee or secured creditor in large Chapter 11 cases; counselled boards of directors on their duties and options; drafted or revised SEC filings; worked on restructuring matters in the United States, Asia, Europe, and Latin America; drafted and negotiated security agreements, board resolutions, portions of merger agreements; took and defended numerous depositions; represented purchasers of distressed companies; argued before appellate courts; negotiated credit agreements; served on firm opinion committee; served on firm hiring committee; served on firm organization committee; repeated recipient of in-house pro bono awards. Pro bono work included public housing administrative hearings, social security hearings, asylum cases, wage theft cases, and immigration cases.

ASSOCIATE, SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP, New York, New York. October, 1983 – April, 1991. Handled numerous contested hearings; took and defended depositions; wrote briefs and discovery documents; drafted security agreements and other commercial or restructuring documents.

LAW CLERK, THE HONORABLE MANUEL J. PRICE, Bankruptcy Judge, Eastern District New York. August, 1982 – October, 1983.

RESEARCH ASSISTANT, SAMUEL ESTREICHER, Professor of Law, New York University School of Law. Summer 1980; Spring 1981; Fall 1981. Research Constitutional Law issues.

TEACHER, PUBLIC SCHOOLS, ENDICOTT, NEW YORK AND MONTICELLO, NEW YORK. September, 1971 – June, 1979. Taught social studies and reading in middle school and junior high school. Granted tenure in both school districts.

Additional work to finance education included serving as a factory worker, test question writer, proxy solicitor, short-order cook, cashier, night guard, after-school program coordinator, LSAT preparation instructor, legal secretary and process server.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, J.D. 1982.

Articles Editor, 1981-1982, Review of Law and Social Change
Member, 1980-1981, Review of Law and Social Change
Seymour Goldstein Memorial Prize in Labor Law
American Jurisprudence Prize in Administrative Law
Second Prize, Nathan Burkan Memorial Competition in Copyright Law
Second Prize, Northeast Regional Giles Rich Southerland Moot Court Competition
NYU School of Law Tutor for Corporations, Contracts, and Civil Procedure, 1980-81
Academic Year; Spring, 1982

STATE UNIVERSITY OF NEW YORK AT BINGHAMTON, M.A.T. 1973.

Major: Anthropology Minor: Education

DUKE UNIVERSITY, B.A. 1970. History Major

SELECTED HONORS

American Bankruptcy Institute Young Scholar Award, November 2017.

Best Lawyers of America, 2007-2012 (repeatedly chosen for inclusion in directory while practicing).

Legal Aid Society of New York, Pro Bono Service Award, November 3, 2003
(New York City-wide annual award for pro bono work).

Honorable Mention, International Paper Company Award for the Teaching of Economics, 1979 (national award for the secondary school teaching of economics).

SELECTED PUBLICATIONS

BOOKS

Sally McDonald Henry, ed., The Portable Bankruptcy Code & Rules, American Bar Association, Business Law Section, annually, 1995 – 2017.

Robert L. Ordin and Sally McDonald Henry, Ordin on Contesting Confirmation, (3rd ed. 1995; 4th ed. 2011, 5th ed. 2014 and 6th ed. 2017). Sole author since 1995. Annual updates since 1995.

Sally McDonald Henry, The New Bankruptcy Code: Cases, Development and Practice Insights since BAPCPA, American Bar Association, Business Law Section, 2007.

Sally McDonald Henry, ed., The New Bankruptcy Code; The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, American Bar Association, Business Law Section, 2005.

SELECTED OTHER WORKS

Sally McDonald Henry, The Supreme Court Analyzes the Bankruptcy Code (in process).

Sally McDonald Henry, Delaware is the Weak Link in the Chain (in process).

Sally McDonald Henry, Why Did Article 9 and Chapter 15 Mess Up the Same Way? (in process).

Sally McDonald Henry, The General Motors Recalls at the Dangerous Intersection of Chapter 11, Article 9, and TARP, 85 Cin. L. Rev. 131 (2017).

Sally McDonald Henry, Chapter 11 Zombies, 50 Indiana L. Rev. 580 (2017).

Sally McDonald Henry, Paying to Play in Chapter 11, 17 Mich. State J. of Bus. & Sec. L. 113 (2017).

Sally McDonald Henry, Government Contracts in Bankruptcy, in Government Contracts and Bankruptcy: What Happens When Things Go South?, American Bankruptcy Institute, 2014.

Sally M. Henry, Chapter 11, The Players, Presentation to the Global Restructuring Forum, Modena, Italy, October 2013. (Published electronically at globalrestructuring.eu/wp-content/uploads/2014/04/FIRST-INTERNATIONAL-G.R.O.pdf).

Sally McDonald Henry, Chapter 30, United States, in The Restructuring Review (Christopher Mallon, ed.), Law Business Research Ltd., 2011.

D.J. Baker, John Butler, Jr. and Sally M. Henry, Leading Companies in Financial Distress: Key Issues for Chief Executives, in The Americas Restructuring & Insolvency Guide, 2008/2009, Globe Business Publishing, 2008.

Sally McDonald Henry and Harry Hutchinson, Professional Retention in Bankruptcy Cases, in Current Issues in Bankruptcy Proceedings: Ethical Issues Related to Distressed Entities, City Bar Center for Continuing Legal Education, 2003.

Sally M. Henry, Stephen A. Infante, and Locke McMurray, Valuation Forum: Establishing Values in Bankruptcy Litigation, in Valuations for Workouts and Bankruptcies, Institute for International Research, Business Law Division, 1991.

Alesia Ranney-Marinelli, Sally M. Henry and James P.S. Leshaw, Asset Sales in a Chapter 11 Bankruptcy Case, in Current Problems in Chapter 11 Practice: The Players, the Powers and the Plan (Neal Batson & Marcia Goldstein, eds.), Prentice Hall Law & Business, 1990.

SELECTED SPEECHES

“Show Me The Money,” Program of the 18th Annual Global Insolvency and Restructuring Conference, Helsinki, Finland, May 22, 2012.

“The New Role of Governments in Restructuring and Workouts of Insolvent Corporations,” Program of the International Bar Association International Conference, Madrid, Spain, October 5, 2009.

“Cross-Border Restructurings,” Program of the International Law and Practice Section of the New York State Bar Association, Lima, Peru, September 27, 2007.

ACADEMIC PRESENTATIONS

Presentation to Young Bankruptcy Scholars’ Work in Progress Workshop, Looking the Chapter 11 Gift Horse in the Mouth,” Brooklyn, New York, November 2-3, 2017.

Presentation to Texas Legal Scholars, Dedman School of Law, Southern Methodist University, Chapter 11 Zombies, August 26, 2015.

Presentation to Texas Legal Scholars, Houston University Law Center, The \$1.5 Billion Recalls at the Dangerous Intersection of Article 9, Chapter 11 and TARP, August 29, 2015.

Presentation to Southeastern Association of Law Schools, Private Student Loans, What We Know, Why It Matters, and What to Do, August 5, 2013.

SELECTED SERVICE TO THE BAR

Member, Lubbock Inns of Court, 2016-present.

Secretary, Federal Bar Association Bankruptcy Section, 2017-present.

CLE, The Texas Homestead Exemption in Bankruptcy, October 25, 2018.

Board Member, Federal Bar Association Bankruptcy Section, 2015-2017.

CLE Presentation, University of Texas Corporate Restructuring CLE, “Dancing With Them What Brung You in Chapter 11,” Austin, Texas, November 16, 2017.

CLE Presentation, West Texas Bankruptcy Bar Association, “A Supreme Court Decision With a Hole Big Enough to Drive a Truck Through,” Lubbock, Texas, September 22, 2017.

CLE Presentation, West Texas Bankruptcy Bar Association, “Structured Dismissals,” Lubbock, Texas, September 23, 2016.

CLE Presentation, University of Texas School of Law, 12th Annual Consumer Bankruptcy Practice Continuing Education Program, “Hot Topics,” Galveston, Texas, July 14, 2016.

CLE Presentation, Texas Tech School of Law, “Bankruptcy Basics,” October 24, 2014.

CLE Presentation, American Bankruptcy Institute, “Government Contracts in Bankruptcy,” Washington, D.C., October 7, 2014.

CLE Presentation, West Texas Bankruptcy Bar Association, “Supreme Court and Fifth Circuit Update,” Lubbock, Texas, September 26, 2014.

CLE Presentation, Latham & Watkins Restructuring Partners’ Meeting, “Valuation Issues in Confirmation Litigation,” Austin, Texas, April 20, 2013.

CLE Presentation, Texas Tech School of Law Alumni Association, “Bankruptcy Claims,” El Paso, Texas, November 21, 2013.

CLE Presentation, University of Texas School of Law, 8th Annual Consumer Bankruptcy Practice Continuing Education Program, “Discharge and Dischargeability,” Galveston, Texas, August 10, 2012.

CLE Presentation, Deloitte & Touche in-house counsel, “Structuring Business Entities with the Downside in Mind,” New York, New York, Spring 2007.

CLE Presentation, Deloitte & Touche in-house counsel, “Substantive Consolidation Issues,” New York, New York, February 14, 2005.

CLE Presentation, “Bankruptcy Ethics,” City Bar Center for Continuing Education, New York, New York, February 12, 2003.

CLE Presentation, “A Tactical Creditor’s Approach to the Plan of Reorganization and Disclosure Statement,” Dallas, Texas and Los Angeles California, February 1, 2002 and February 26, 2002.

SELECTED SERVICE TO STUDENTS

Assistant Coach, Conrad Duberstein Moot Court Competition, 2013-2018. Met with students regularly for roughly two and one-half months two to three times a week in 2013, 2014, 2015, 2016, 2017 and 2018 to prepare for moot court competition;

traveled with students to competitions in Austin, Texas, Houston, Texas, New Orleans, Louisiana, and New York, New York.

Faculty editor, The Texas Bank Lawyer and The American Bank Lawyer, monthly student publications distributed throughout the United States, 2018-present.

Advisor to Business and Bankruptcy Law Review, 2014-present. Help students in choosing topics, review drafts of articles; meet with students regarding editorial matters.

Pizza & Problems, Numerous voluntary review classes using questions from Texas Bar Examination, periodically, Fall 2013 – present.

SELECTED SERVICE TO COMMUNITY

Pro Bono Legal and Tax Services, 1980-present. Representation of indigent defendants in social security, public housing, asylum, wage theft and other cases; legal services intake at St. John's Church in Lubbock, Texas; preparation of tax returns for low income individuals. Repeated recipient of awards for pro bono services.

National Chorale, 1991-2012. Member of Board of Directors of National Chorale, charitable organization that funded music programs in New York City public schools by fundraising and presenting concerts at the New York Philharmonic Hall, including the annual Messiah Sing-In; related pro bono work to preserve the value of the mark "Messiah Sing-In."

Brooklyn College Olympic Hopefuls Program, Brooklyn College, Brooklyn, New York, 2001-2011; Member of Board of Directors of program designed to (1) foster inter-cultural interaction through the development of ballroom dancing programs at a public college in a diverse borough of New York City; (2) foster professional careers of professional ballroom dancers pursuing undergraduate degrees by helping college to develop programs that allowed dancers to maintain competition schedules; and (3) foster education of professional ballroom dancers by raising scholarship funds for outstanding dancers. In addition, engaged in related pro bono work.

SELECTED SERVICE TO LAW SCHOOL AND UNIVERISTY

Member, Dean's Advisory Committee, 2018-2019 Academic Years.

Member, Chair Designation Committee, 2018-2019 Academic Years.

Member, Research Award Committee, 2018-2019 Academic Years.

Member, Honor Council, 2016-2019 Academic Years.

Member, Academic Standards Committee, 2017-2019 Academic Years.

Member, Admissions Committee, 2017-2018 Academic Year.

Law School Representative, Faculty Senate, Texas Tech University, 2015-present.

Law School Representative (alternate), AALS House of Representatives, January, 2016.

Law School Representative, AALS House of Representatives, January 2015, Member,
Committee to Appoint Faculty Reference Librarians, Fall, 2014.

Member, Committee to Appoint Electronic Research Librarian, Fall, 2014.

Member, Rules Committee, 2013 – 2014 Academic Year.

Member, Clerkship Committee, 2012 – 2013 Academic Year.

Member, Honor Committee, 2015-2018 Academic Years.

SELECTED ADMISSIONS

Southern District of New York, January 24, 1984.

Fifth Circuit Court of Appeals, April 24, 1985.

Third Circuit Court of Appeals, April 13, 1998.

Eleventh Circuit Court of Appeals, December 10, 2007.

REPORTED CASES

Liquidity Solutions, Inc. v. Winn-Dixie Stores, Inc. (In re Winn-Dixie Stores, Inc.), 377 B.R. 322 (M.D. Fla. 2007).

In re Fortunoff Fine Jewelry & Silverware, LLC, Case No. 08-10353 (JMP), 2008 Bankr. LEXIS 682 (Bankr. S.D.N.Y. February 15, 2008).

Genuity Solutions, Inc. v. Metro. Transp. Auth. (In re Genuity, Inc.), Case No. 02-43558 (PCB), 2007 Bankr. LEXIS 2133 (Bankr. S.D.N.Y. June 20, 2007).

In re Refco Inc., Case No. 05-6006, 2006 Bankr. LEXIS 4914 (Bankr. S.D.N.Y. December 14, 2006).

In re Refco Inc., 336 B.R. 187 (Bankr. S.D.N.Y. 2006).

In re Refco Inc., Case No. 05-6006(RDD), 2005 Bankr. LEXIS 2617 (Bankr. S.D.N.Y. December 23, 2005).

In re VF Brands, Inc., 275 B.R. 725 (Bankr. D. Del. 2002).

VFB L.L.C. v. Money's Trust (In re VF Brands, Inc.), 282 B.R. 134 (Bankr. D. Del. 2002).

In re Levitz Furniture, Inc., 267 B.R. 516 (Bankr. D. Del. 2000).

Ross-Viking Merchandise Corp. v. American Cyanamid Co., 151 B.R. 71 (Bankr. S.D.N.Y. 1993).

In re Cardinal Indus., 151 B.R. 843 (Bankr. S.D. Ohio 1993).

In re Cardinal Indus., 151 B.R. 833 (Bankr. S.D. Ohio 1992).

In re Cardinal Indus., 146 B.R. 720 (Bankr. S.D. Ohio 1992).

In re Montgomery Court Apartments, Ltd., 141 B.R. 324 (Bankr. S.D.N.Y. 1992).

In re Cardinal Indus., 139 B.R. 703 (Bankr. S.D. Ohio 1991).

In re Georgetown South Apartments, II, Ltd., 136 B.R. 160 (Bankr. S.D. Ohio 1992).

In re Adkisson Village Apartments, Ltd., 133 B.R. 923 (Bankr. S. D. Ohio 1991).

In re Rollingwood Apartments, 133 B.R. 906 (Bankr. S.D. Ohio 1991).

In re Hickory Mill Apartments, Ltd., 133 B.R. 898 (Bankr. S. D. Ohio 1991).

In re Westpark Village Apartments, Ltd., 133 B.R. 894 (Bankr. S.D. Ohio 1991).

In re California Gardens Apartments, 130 B.R. 509 (Bankr. S.D. Ohio 1991).

In re Thymewood Apartments, 129 B.R. 505 (Bankr. S. D. Ohio 1991).

In re Northgate Terrace Apartments, Ltd., 126 B.R. 762 (Bankr. S.D. Ohio 1991).

In re Cardinal Indus., 126 B.R. 754 (Bankr. S.D. Ohio 1991).

In re Montgomery Court Apartments, Ltd., 126 B.R. 537 (Bankr. S.D. Ohio 1991).

In re Northgate Terrace Apartments, Ltd., 126 B.R. 520 (Bankr. S.D. Ohio 1991).

In re Lantana Motel, 124 B.R. 252 (Bankr. S.D. Ohio 1990).

In re Blueberry Hill Apartments, 124 B.R. 59 (Bankr. S.D. Ohio 1990).

In re Ashgrove Apartments, 121 B.R. 752 (Bankr. S.D. Ohio 1990).

In re Cardinal Indus., 121 B.R. 518 (Bankr. S.D. Ohio 1990).

In re Georgetown South Apartments II, Ltd., 136 B.R. 160 (Bankr. S.D. Ohio 1992).

In re Cardinal Indus., 118 B.R. 971 (Bankr. S.D. Ohio 1990).

In re Northgate Terrace Apartments, Ltd., 117 B.R. 889 (Bankr. S.D. Ohio 1990).

In re Northgate Terrace Apartments, Ltd., 117 B.R. 328 (Bankr. S.D. Ohio 1990).

In re Willowood East Apartments II, Ltd., 117 B.R. 320 (Bankr. S.D. Ohio 1990).

In re Cardinal Indus., 116 B.R. 964 (Bankr. S.D. Ohio 1990).

In re Willowood East Apartments, Ltd., 114 B.R. 138 (Bankr. S.D. Ohio 1990).

In re A.H. Robins Co., 89 B.R. 555 (Bankr. E.D. Va. 1988).

In re Coral Petroleum, Inc., 60 B.R. 377 (Bankr. S.D. Tex. 1986).

Coral Petroleum, Inc. v. Banque Paribas (In re Coral Petroleum, Inc.), 50 B.R. 830 (Bankr. S.D. Tex. 1985).