

Martin I. Klein
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| <u>I. Profession</u> | <u>Accrediting Agency or Jurisdiction</u> | <u>Date of Admission</u> |
|-----------------------------|--|---------------------------------|
| Attorney | New York State | 1973 |
| Attorney | California | 1980 |
| Attorney | Florida | 1978 |
| Solicitor-United Kingdom | Law Society of England & Wales | 1996 |
| Real Estate Broker | Florida | 1993 |
| Real Estate Broker | New York | 1985 |

| <u>II. Professional Organization</u> | <u>Date of Admission</u> | <u>Active/Inactive</u> |
|---|---------------------------------|-------------------------------|
| NY State Bar Assoc. | 1973 | Active |
| NYC Bar Assoc. | 1973 | Active |
| Florida Bar | 1978 | Active |
| California Bar | 1980 | Active |
| Law Society-England & Wales | 1995 | Active |

III. General professional experience:

Extensive experience in all aspects of commercial law with particular emphasis upon corporate reorganization and bankruptcy, finance, real estate and cross-border insolvency.

IV. General pertinent experience:

Negotiating divergent interests in many complex cases and in numerous mediations.

V. Mediation training:

I have participated in initial training for service as an arbitrator in Small Claims Court and for appointment as a Guardian under the Mental Hygiene law.

VI. Mediation Experience:

I have, or am serving, in the following capacities:

- Arbitrator - NYC Small Claims Court
- Arbitrator - U.S. District Court, Eastern District of New York
- Arbitrator - Commercial Panel, American Arbitrator Assoc.
- Mediator - ADR Panel, Commercial Division, New York County Supreme Court
- Mediator - Mediation Panel, U.S. Bankruptcy Court, Southern District of New York

VII. Area of Expertise:

I have been an active practitioner for 30 years. Formerly co-chair of the bankruptcy department of the national firm of Shea & Gould, and now in private practice in New York, Florida and with the ability to practice in London. I have, served as counsel to major corporate clients, international financial institutions and successful large-scale real estate developers. I have represented secured and unsecured creditors, debtors, creditors' committees and reorganization trustees in many of the largest and most significant reorganization cases.

VIII. General pertinent business or legal experience:

I have served as a panelist, lecturer, author and commentator for many organizations and have appeared on ABC, CBS and NBC News, PBS' Nightly Business Report and CNN. I also have been quoted in numerous articles in major newspapers. I have been the bankruptcy update editor for the New York Law Journal, am currently an editor of the Bankruptcy Strategist and of the Florida Bar Journal, and have written articles on financial, real estate, bankruptcy and commercial law that have been published in major law journals. Additionally, I have lectured at Columbia University School of Law, on panels for ALI-ABA and the Practising Law Institute, and was formerly an Adjunct Professor of Law at Benjamin Cardozo School of Law of Yeshiva University where I taught Bankruptcy Law. I am also active in the real estate field, having served as zoning commissioner for the Town of Palm Beach Florida and on various committees of the Palm Beach Real Estate Board.

IX: Other pertinent information:

My publications include:

- “New Bankruptcy Act Provides Cities with Needed Fiscal Breathing Space”, Los Angeles Daily Journal, Vol. 90, January 3, 1977.
- “Chapter XI of the Bankruptcy Act -- A Retailer's Biggest Markdown”, Commercial Law Journal, Vol. 82, No. 5, P.159, May 1977.
- “The Bankrupt Real Estate Partnership”, Practicing Law Institute, 1977.
- “The Bankruptcy Reform Act of 1978”, American Bankruptcy Law Journal, Vol. 53, Winter, 1979.
- “The Attorney Client Privilege in Bankruptcy Proceedings”, New York Law Journal, August 31, 1984.
- “From Manville to (?) Texaco: Alarming Trend in Bankruptcies”, New York Law Journal, January 21, 1986.
- “Turbulence for Airline Sales/Leaseback Creditors: Pan Am and Continental”, New York Law Journal, April 15, 1991.
- “Chateaugay - the Bankruptcy Death Knell for Bondholder Workouts”, New York Law Journal, August 1, 1991.
- “Til Death...or Bankruptcy Do Us Part-- Dischargeable Marital Obligations”, New York Law Journal, September 12, 1991.
- “Bankruptcy Relief From Transfer, Mortgage Recording and Gains Tax”, New York Law Journal, January 23, 1992.
- “Leveraged Buyouts: Not 'Fraudulent' After All”, New York Law Journal, July 29, 1992.
- “Maxwell Communications and a Grand Plan For International Insolvencies”, New York Law Journal, October 14, 1992.
- “The Demise of 'Durrett’”, New York Law Journal, June 13, 1994.
- “Century Brass Rings Bell For Debtor in Possession Preference Actions”, New York Law Journal, June 30, 1994.
- “Maxwell: Outer Limits of U.S. Bankruptcy Law” New York Law Journal, August 18, 1994.
- “Bankruptcy Sales: Caveat Emptor,” New York Law Journal, September 8, 1994.
- “Putting an End To Creditors' Soup Kitchen”, New York Law Journal, October 11, 1994.
- “Paralegal Fees: Kirkpatrick to the Rescue”, New York Law Journal, November 3, 1994.
- “Maxwell -- The Outer Limits of US Bankruptcy Law”, The INSOL Newsletter, November 1994.
- “Columbia Gas -- Asphyxiation for Large Debtors Discretionary Investments”, New York Law Journal, December 29, 1994.
- “Section 345 Investment Rules Termed Mandatory”, The Bankruptcy Strategist, December 1994.
- “Maxwell Communication Corporation -- Limitations on the Reach of United States Preference Law”, Bankruptcy Litigation, ABA Litigation Newsletter, January 1995.
- “Federated: Lehman's Greatest Markdown”, New York Law Journal, March 2, 1995.
- “Eastern Airlines: When a Trust Is Not a Trust”, New York Law Journal, April 6, 1995.

“Trustee Liable for Failure to Honor IRS Levy”, The Bankruptcy Strategist, May 1995.
“Amendment of Debtor's Collective Bargaining Agreement”, New York Law Journal, May 17, 1995.
“For Whom the Tax Levy Tolls”, New York Law Journal, June 1, 1995.
“Lender’s Dilemma”, New York Law Journal, June 21, 1995.
“Multinationals - Limitation on Reach of Preference Law”, Turnarounds & Workouts - Europe, July 1, 1995.
“Surcharge on a Debtor’s Collateral”, New York Law Journal, August 31, 1995.
“Political Contributions and Fraudulent Conveyance”, New York Law Journal, September 7, 1995.
“Airline Finance - How Trusts Provide Bankruptcy - Proof Vehicles”, The Bankruptcy Strategist, September 1995.
“Extraterritorial Reach of U.S. Preference Law”, New York Law Journal, December 7, 1995.
“PACA: Eating a Secured Lender’s Lien”, New York Law Journal, March 28, 1996.
“Gambling: A Vice Perhaps But Not a Fraudulent Conveyance”, New York Law Journal, April 10, 1996.
“Option to Renew Season Tickets is Not an Option”, New York Law Journal, May 24, 1996.
“Spectrum: Good News for Dismissed Executives”, New York Law Journal, August 1, 1996.
“Lottery Winnings: Spoils Belong to the Trustee”, New York Law Journal, September 5, 1996.
“Appellate Court Review of Bankruptcy Sales”, New York Law Journal, April 17, 1997.
“An Expanded View of Protected Work Product”, New York Law Journal, May 8, 1998.
“Increased Scrutiny: 3d Cir. Puts Restricted Securities-Debtor’s Counsel on Alert”, The Bankruptcy Strategist, August 1999.

X. Fee Structure (Compensation and Expense Reimbursement)

My hourly rate for mediation cases is \$350 and the parties are expected to share costs, disbursements and out-of-pocket expenses.