



Margaret R. Westbrook

Partner

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OVERVIEW

Margaret Westbrook is a partner in the Raleigh office and has two distinct areas of practice: restructuring and insolvency and campaign finance. Currently serving as the U.S. practice group coordinator for the restructuring and insolvency practice group within the firm, she represents and litigates for secured and unsecured creditors in restructuring and insolvency matters both in and out of the state and federal courts in North Carolina, and in other jurisdictions including New York, Delaware, Texas and Virginia. Margaret advises transactional clients with respect to insolvency risks and debt restructuring. She represents purchasers and sellers of debt and assets from financially distressed companies in a variety of structures, including foreclosure sales, Article 9 sales and Chapter 11 Section 363 sales. She has extensive experience with agricultural cases, including Chapter 12 proceedings, and with healthcare insolvency issues both in and outside of formal insolvency proceedings. Margaret is a member of Class 32 Fellows of the American College of Bankruptcy.

Margaret also advises corporations and trade associations on matters relating to the regulation of corporate political activity, including the formation and administration of state and federal political action committees, campaign finance regulations and gift laws. She formerly represented clients in the North Carolina General Assembly and currently advises clients regarding the development of political compliance programs.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Margaret served as law clerk to the Honorable J. Rich Leonard, Judge of the United States Bankruptcy Court, Eastern District of North Carolina, 1996-1998. She works from the Raleigh, Research Triangle Park and Charlotte, North Carolina offices.

ACHIEVEMENTS

- Recognized in Best Lawyers in America as a Lawyer of the Year for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2022
- *American College of Bankruptcy*, Fellow, Class 32, 2021
- *Chambers USA: America's Leading Business Lawyers*, Bankruptcy/Restructuring, Band 1, since 2015

- *Best Lawyers in America*, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, since 2019
- Legal Elite, *Business North Carolina Magazine*, Bankruptcy Law, 2012-2015, 2017-2019, 2021
- *Triangle Business Journal*, Women in Business Award, 2007

PROFESSIONAL / CIVIC ACTIVITIES

- American Bankruptcy Law Journal, Board Member (2020-2023)
- North Carolina Bar Association
 - Vice Chair (2020)
 - Seminar Committee Co-Chair (2019)
 - Seminar Committee Member (2013-2019)
 - Legislative Committee Chair (2008-2020)
- United States Bankruptcy Court for the Eastern District of North Carolina, Local Rules Committee (2000-2019), Chair (2010-2019)
- Turnaround Management Association-- Carolinas Chapter Vice Chair (2020-2021); Board Member (2015-present)
- American Bankruptcy Institute Southeastern Advisory Board Member (2016-present)
- Eastern Bankruptcy Institute Board Member (2016-present)
- Coach for Campbell Law School Conrad B. Duberstein Moot Court Team (2014-2021)
- Wake County Bar Association (Grievance Committee, 2006-2009; Professionalism Committee Member, 2002-present)

SPEAKING ENGAGEMENTS

- "Overview of New North Carolina Receivership Act," Mecklenburg County Bar Association Webinar, January 2021
- "Receivership Statute Update," North Carolina Bar Association Annual Seminar, December 2020
- "Corporate Political Engagement & Compliance: Preparing for the 2020 Election Cycle," Eighth Annual Under the Wire CLE, February 2020
- "Attorney/Client Privilege and Agricultural Matters: Don't let the Cow out of the Barn Door," American Agricultural Law Association Education Symposium, November 2019

- "Rescuing Hospitals from the Emergency Room," 23rd Annual Southeast Bankruptcy Workshop, American Bankruptcy Institute, July 2018
- "Loose Lips Sink Ships, Top Ten Ways to Lose the Attorney Client Privilege," Sixth Annual Under the Wire CLE, February, 2018
- "Agricultural Security Interests and Priority," American Agricultural Law Conference, October 2018
- "Hot Ethics Topics for Bankruptcy Lawyers," Eastern Bankruptcy Institute, June 2011, 2012, 2014-2016
- "Election Year Bootcamp – Is your organization in shape for the 2016 race?," K&L Gates "Under the Wire" CLE Seminar, February 2016
- "Confirmation Issues in Municipal Bankruptcies," Moderator, Campbell Law School Symposium, October 2014

EDUCATION

- J.D., University of North Carolina at Chapel Hill School of Law, 1996 (*with honors; North Carolina Law Review, Member; Order of the Coif*)
- B.A., University of North Carolina, 1993

ADMISSIONS

- Bar of North Carolina
- United States Bankruptcy Court for the Eastern District of North Carolina
- United States Bankruptcy Court for the Middle District of North Carolina
- United States Bankruptcy Court for the Western District of North Carolina
- United States District Court for the Eastern District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Western District of North Carolina

THOUGHT LEADERSHIP POWERED BY HUB

- 31 March 2021, COVID-19: Bankruptcy Code Amendments in the Consolidated Appropriation Act and COVID-19 Bankruptcy Relief Extension Act (*Alerts/Updates*)
- June 2020, COVID-19: Perspectives on Navigating Uncertain Times, Opportunities, and Avoiding Pitfalls in the Energy Sector (*Webinar*)
- 16 June 2020, COVID-19: Distressed M&A in the Era of a Pandemic - Part 3 (*Alerts/Updates*)

- 12 May 2020, COVID-19: Distressed M&A in the Era of a Pandemic - Part 2, Déjà Vu All Over Again? (*Alerts/Updates*)
- 7 May 2020, COVID-19: PPP Eligibility of Debtors in Bankruptcy (*Alerts/Updates*)
- 13 April 2020, COVID-19: Impact of the CARES Act on Subchapter V Reorganizations under the Bankruptcy Code (*Alerts/Updates*)
- 4 December 2019, Distressed Solutions: Don't Get Lost in the Weeds in Agriculture Bankruptcies (*Podcast*)
- 23 September 2019, Small Business Debtor Reorganization: An Overview of Chapter 11's New Subchapter V (*Alerts/Updates*)
- 8 August 2019, Dust Off Your Chapter 12 Knowledge: Increase to Debt Limits May Revive Family Farmer Bankruptcies (*Alerts/Updates*)
- 29 January 2019, Second Circuit Rejects Setoff Between PACA Merchants in Bankruptcy Cases (*Alerts/Updates*)
- 26 September 2018, "Dark Money" Gets a Little Light: *CREW v. FEC* and Its Implications for the 2018 Midterms (*Alerts/Updates*)
- 23 August 2018, K&L Gates Triage: Sales of Healthcare Businesses in Chapter 11– The Basics (*Podcast*)
- 12 April 2018, K&L Gates Triage: Protecting Patient Information in Bankruptcy Cases (*Podcast*)
- February 2018, Sixth Annual "Under the Wire" CLE Seminar (*Webinar*)
- 7 July 2017, Fisker's Reach: Liquidating Trustee May Pursue Overseas Fraudulent Transfers as Unjust Enrichment (*Alerts/Updates*)
- 6 July 2017, Bankruptcy Court Finds that Foreign Transactions May be Subject to U.S. Fraudulent Transfer Laws (*Alerts/Updates*)

OTHER PUBLICATIONS

- Appeals Chapter of the North Carolina Bankruptcy Practice Manual, Eighth Edition, *North Carolina Bar Association*, 2018
- School Finance Litigation Comes to North Carolina, Comment, *73 North Carolina Law Review* 2123, 1995

NEWS & EVENTS

- 1 September 2021, K&L Gates Boosts Restructuring and Insolvency Practice with Houston Addition (*Press Release, Practice & Regional News*)
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch (*Rankings & Recognitions*)

- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide (*Rankings & Recognitions*)
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders (*Press Release*)
- 23 June 2016, K&L Gates, Lawyers Recognized as Leaders in Chambers USA 2016 Guide (*Press Release*)
- 20 May 2015, Chambers USA 2015 Guide Recognizes K&L Gates, Lawyers as Industry Leaders (*Press Release*)

MEDIA MENTIONS

- 16 November 2020, American College of Bankruptcy, Announcing Class 32 (2021 Inductees)

AREAS OF FOCUS

- Restructuring and Insolvency
- Complex Commercial Litigation and Disputes
- Energy Finance
- Health Care and FDA
- Maritime
- Public Policy and Law

INDUSTRIES

- Agribusiness
- Consumer Products
- Energy
- Utilities

REPRESENTATIVE EXPERIENCE

- Represented various entities in connection with a complex multi-party internal restructuring, JV investment by an experienced operator and investor, and modification of senior debt held by real estate investment trust with respect to a hotel in Raleigh, NC.