

## **WILLIAM R. O'BRYAN, JR.**

### **Nashville Office**

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*Bill is a member of the Commercial Litigation Practice Group. His practice is focused on the resolution of business disputes, commercial litigation, creditor rights, bankruptcy and restructuring matters.*

### **PRACTICE AREAS AND INDUSTRY TEAMS**

- Commercial Litigation
- Banking and Bank Regulatory
- Bankruptcy and Restructuring
- Mergers & Acquisitions
- Professional Liability
- Estate/Trust Fiduciary Litigation
- Financial Services Litigation
- Business Torts and Unfair Competition
- Construction Task Force

### **EXPERIENCE**

- Successfully defended \$16.8 million avoidance action in *Rocin Liquidation Estate v. Comdata Network, Inc. d/b/a Comdata Corporation*, Adv. Proc. No. 04-12-1244, United States Bankruptcy Court for the Western District of Oklahoma.
- Represented Comdata in appellate litigation resulting in seminal decision on attorney-client and work-product privileges. *Boyd v. Comdata Network, Inc.*, 88 S.W.3d 203 (Tenn. App. 2002).
- Successfully pursued jury trial to \$1.5 million verdict piercing corporate veil and imposing judgment debt on sole shareholder.
- Successfully represented automotive dealer against manufacturer concerning manufacturer's efforts to reduce size of dealer network
- Successfully represented commodity supplier in enforcing long-term supply contract.
- Successfully represented large fundraising company in litigation involving contract, securities and employment issues.
- Successfully represented large behavioral health provider against MCO.
- Represented lead bank in workout, potential foreclosure and receivership proceedings.

- Successfully represented will beneficiaries against surviving spouse on claim of undue influence.
- Served as mediator in business litigation, creditors' rights and bankruptcy cases.
- Successfully argued to Tennessee Supreme Court for reversal of errant grant of summary judgment in construction lien case.

## **BAR ADMISSIONS**

- Tennessee, 1977
- U.S. District Courts
  - Tennessee: Eastern, Middle, Western
- U.S. Court of Appeals
  - 6th Circuit
- U.S. Tax Court
- U.S. Supreme Court

## **DISTINCTIONS**

- *Martindale-Hubbell*<sup>®</sup>
  - AV<sup>®</sup> - Preeminent<sup>™</sup> Peer Review Rated, 1998-2017
- *Super Lawyers*<sup>®</sup>
  - Mid-South Super Lawyers, Business Litigation, 2006, 2008-2013, 2015-2019
- *Best Lawyers in America*<sup>®</sup>
  - Litigation - Bankruptcy, 2011-2021
  - Commercial Litigation, 2006-2021
  - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 1993-2021

## **ASSOCIATIONS**

- Tennessee Bar Association
- Nashville Bar Association
  - Bankruptcy Committee
    - Chair, 1989
- Turnaround Management Association (TMA)
- Mid-South Commercial Law Institute
  - Board of Directors, 2013-2017, 1988-1996
- Nashville Bar Foundation
- Dominican Campus
  - Endowment Committee, 1998-2015
- John Marshall American Inn of Court
  - Member
- Christ the King Catholic School
  - Board Member

## **EDUCATION & HONORS**

- Vanderbilt University, J.D., 1977
- Wabash College, A.B., *magna cum laude*, 1974
  - Phi Beta Kappa

## **PAPERS, PRESENTATIONS AND PUBLICATIONS**

- Moderator, "Valuation in Bankruptcy: Theory and Practice – Who? What? When? Why?" Mid-South Commercial Law Institute, 2016
- Co-Presenter, "Ethics for In-House Counsel, Adapting to a Changing World: A CLE for In-House Counsel, November 2014
- Presenter, "Recording Time, Billing & Writing Bills Clients Will Pay," Tennessee Bar Association, 2010
- Presenter, "Business Torts in Tennessee," Duties of Officers and Directors and Deepening Insolvency, Lorman Education Services, 2005
- Presenter, "Trial Practice," Observations and Tips Regarding Jury Issues, Focus: Commercial Issue Tried to a Jury, Nashville Bar Association, Young Lawyers Division, 2005
- Presenter, "Basic Bankruptcy Litigation in Tennessee," National Business Institute, 1989 - 1990, 2001, 2003 - 2004
- Presenter, "Advanced Real Estate Remedies," Law Seminars International, 2003