

## John D. Cornwell



Shareholder [Houston](#)  
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### Education

J.D. from University of Houston Law Center  
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B.B.A. from Texas A&M University

### Bar Admissions

Texas  
United States Bankruptcy Court for the District of Colorado  
United States Bankruptcy Court for the Eastern, Northern, Southern and Western Districts of Texas  
United States Court of Appeals for the Fifth Circuit  
United States District Court for the District of Colorado  
United States District Courts for the Eastern, Northern, Southern and Western Districts of Texas

### Related Practices

Bankruptcy, Restructuring & Insolvency  
Asset Acquisitions  
Committees  
Creditors  
Cross-Border Insolvency  
Debtors

## Overview

John has practiced law in Houston since 2005, starting his career with one of the largest law firms in the world and then joining Munsch Hardt in 2016. He currently serves as Managing Shareholder of the Houston office.

John's practice primarily relates to bankruptcy, insolvency, restructuring matters and complex commercial litigation. He represents secured and unsecured creditors, Official Committees of Unsecured Creditors, Chapter 11 debtors, trustees, governmental entities, third-party purchasers and investors, as well as a variety of other stakeholders in bankruptcy. John also represents a variety of parties in commercial litigation matters, including disputes relating to oil and gas contracts and with respect to alleged breaches of fiduciary duty.

In light of the economic climate, much of John's recent practice involves representing creditors and stakeholders in Chapter 11 proceedings relating to oil and natural gas exploration and operation, oilfield services, retail and food services. John also has experience representing local, national and international clients in a variety of industries, including commercial and industrial real estate; telecommunications and broadcasting; banking and private equity investing; pharmaceutical design, delivery, disposition and compounding; timber harvesting; and intellectual property creation and dissemination.

John's clients include leading financial institutions; commercial real estate owners/managers; oil and gas producers; other energy owners and participants; small businesses; national and international distributors; pharmaceutical companies; telecommunication carriers; and directors and officers.

Insolvency Litigation  
Receiverships  
Trustees  
Corporate & Securities  
Joint Ventures  
Mergers & Acquisitions  
Private Equity, Venture Capital & Investment Funds

## Related Industries

Financial Services  
Energy  
Technology & Telecommunications

## Achievements

*Houstonia Magazine* – Top Lawyer, Bankruptcy (2022-2023)

*Thomson Reuters* – Texas Super Lawyers (2023); Texas Rising Stars (2010, 2012-2020)

*Woodward/White, Inc.* – Best Lawyers in America, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2021-2024); Best Lawyers in America, Litigation – Bankruptcy (2021-2024)

## Memberships

American Bankruptcy Institute  
American Cancer Society  
American Inns of Court, The Honorable Arthur L. Moller/David B. Foltz, Jr.  
Houston Bar Association (Legal Lines)  
Houston Volunteer Lawyers Program  
State Bar of Texas  
The Innocence Project – New Orleans  
The Turnaround Management Association

## Experience

### Trustee Representation

Appointment as liquidating trustee following confirmation of the joint combined Chapter 11 Plan of Veterinary Care, Inc., et al., which was a highly contested bankruptcy proceeding involving substantial allegations of fiduciary duty breaches among certain directors and officers, and an underlying dispute for control of the Debtors.

## Chapter 11 + Subchapter V Reorganizations

Representation of Snap Kitchen Investments, LLC and eight affiliated entities in connection with their Chapter 11 bankruptcy reorganizations. Snap Kitchen successfully reorganized its business through the COVID-19 pandemic, re-focusing its business model on electronic points of sale and selective brick-and-mortar locations.

## Receiver Representation

Representation of KPMG Inc., solely in its capacity as court-appointed receiver and manager of Q'Max Solutions Inc., in connection with the Receiver's filing of a Chapter 15 recognition proceeding in the U.S. Bankruptcy Court for the Southern District of Texas. Q'Max is an oilfield services provider that focuses on onshore and offshore drilling fluids, solids control and waste management solutions in the upstream oil and gas drilling and producing industry.

## Sale Monitor

Appointment as "sale monitor" in connection with the bankruptcy proceedings of ASAIG, LLC and Aztec/Shaffer, LLC, primarily facilitating bid/sale communications between prospective purchasers and the PGA TOUR.

## Unsecured Creditors' Committee

Representation of the Official Committee of Unsecured Creditors of Epic Companies, Inc. and its subsidiaries in their Chapter 11 cases in the United States Bankruptcy Court for the Southern District of Texas, Houston Division. Epic Companies Inc. was a full-service global decommissioning, installation and maintenance company, providing services such as heavy lifting, diving and marine, specialty cutting and well plugging and abandonment services.

## Unsecured Creditors' Committee

Representation of the Official Committee of Unsecured Creditors of Sklar Exploration Companies LLC in its Chapter 11 bankruptcy in the United States Bankruptcy Court for the District of Colorado. Sklar Exploration is an oil and gas operating company, operating wells and plants across the United States.

## Oil & Gas Litigation

Representation of Southern California Public Power Authority and Turlock Irrigation District against debtor Ultra Resources, Inc. and various other working interest owners in dispute about allocation of Net Profits Interest between working interest owners, pending in the United States District Court for the Southern District of Texas, Houston Division.

## Lender/Plan Sponsor

Representation of Providence Wattenberg and 5NR Wattenberg in the Chapter 11 bankruptcy cases of PetroShare Corp. and its affiliate in the United States Bankruptcy Court for the District of Colorado. Clients were the principal prepetition lenders, and successfully negotiated acquisition of the Debtors' oil and gas assets and operating interests through serving as plan sponsor.

## Landlord Representations

Representation of a Texas-based, full-service commercial real estate firm and various other small and large landlords in various bankruptcy matters across the country, including in connection with the Chapter 11 bankruptcy proceedings of 24 Hour Fitness, Charming Charlie, MattressFirm, Payless, Ascena, CEC, GNC, JC Penney, Charlotte Russe, Stage Store, Tailored Brands, Pier 1 and Payless ShoeSource.

## Creditor Representations

Representation of creditors and other claimants in the Chapter 11 proceedings of Southern Foods Group f/k/a Dean Foods, Neiman Marcus, Covia, McDermott, Frontier, Windstream, Sanchez Energy, PG&E and Ultra Petroleum.

## Special Conflicts Counsel

Representation of debtors Pioneer Energy Services, *et al.*, as Special Conflicts Counsel, in connection with their Chapter 11 bankruptcy proceedings in the United States Bankruptcy Court for the Southern District of Texas, Houston Division. Pioneer is a Texas-based energy company that provides land contract drilling and production services to independent and major oil and gas exploration and production companies.

## Trustee Representation

Representation of the Indenture Trustee in the Chapter 11 case of Linn Energy, and 14 of its affiliates, which was filed in the United States Bankruptcy Court for the Southern District of Texas. As of the filing, roughly \$1 B in Senior Secured Second Lien Notes due in 2020 were outstanding.

## Energy Restructuring

Representation of a significant noteholder in out-of-court note and corporate restructuring and related disputes to secure obligations while also maximizing enterprise value of the borrower and its subsidiaries.

## Insolvency Litigation

Representation of the counterparty in negotiations with Chapter 11 debtor to assume and assign a waste disposal agreement to prevent interruption in services and related negative environmental ramifications.

## Corporate Restructuring

Participation in a billion-dollar corporate restructuring and insolvency proceedings, including drafting plans of reorganization, disclosure statements and trust agreements.

## Chapter 11 to 7 Representation

Preparation of successful pleadings resulting in the appointment of Chapter 11 trustees and examiners, conversion of Chapter 11 cases to Chapter 7 liquidations and lifting of the automatic stay.

## Insolvency Litigation

Defense against and negotiation of settlements in avoidance actions and other bankruptcy-related adversary proceedings.

## Uniform Commercial Code

Advice to clients on issues of perfection and priority of security interests and other Uniform Commercial Code matters.

## Plan Confirmation

Successful pursuit of "direct appeals" to the Fifth Circuit relating to issues of plan confirmation, use of cash collateral, treatment of absolutely assigned rents and application of exceptions to the automatic stay.

## Creditor Representation

Representation of clients (both creditors and third parties) in connection with the purchase and sale of distressed assets via section 363 "free and clear" sales and liquidating Chapter 11 plans of reorganization, including substantially all of the assets held by telecommunication companies, television stations, and pharmaceutical- and technology-related intellectual property entities.

## Newsroom

**Press Release:** 14 Munsch Hardt Attorneys Recognized in 2023 Texas Super Lawyers® Directory

**Press Release:** 'Best Lawyers in America®' Names 54 Munsch Hardt Attorneys to its 2024 List and Two as 'Lawyers of the Year'

**Press Release:** Munsch Hardt Attorneys Honored as 2023 'Best Lawyers in America®,' 'Ones to Watch', and 'Lawyer of the Year'

**In The News:** Munsch Hardt's New, Larger Houston Office Features Collaborative Space, Natural Light and a Putting Green

**In The News:** Dallas-based Law Firm to Nearly Double Footprint in Pennzoil Place Downtown

**In The News:** Munsch Hardt Law Expands to 2 Floors in Pennzoil Place

**Press Release:** Munsch Hardt Maintains Rapid Growth in Houston and Doubles Down on Pennzoil Place

**In The News:** Munsch Hardt Taps New Houston Managing Shareholder

**Press Release:** John Cornwell Named Managing Shareholder of Munsch Hardt Houston Office

**Press Release:** Munsch Hardt Attorneys Honored as 2022 'Best Lawyers in America', 'Ones to Watch' and 'Lawyer of the Year'

**Press Release:** Munsch Hardt Announces 2021 Promotions to Equity Shareholder and Shareholder

**In The News:** Spotlight Middle Market: The Middle Market Survived 2020 but 'Reckoning' Coming in M&A Activity

**Speech:** Virtual CLE Program: A Bankruptcy Pandemic?

**In The News:** Bankruptcy Experts: Middle Market's 'Day of Reckoning is Coming'

**Press Release:** Munsch Hardt Attorneys Honored as '2021 Best Lawyers in America' and 'Ones to Watch'

**In The News:** Have You Heard About Houston? – A Q&A With Munsch Hardt's John Cornwell

**In The News:** Energy Industry Bankruptcies Will Accelerate in Coming Months: A Q&A With Munsch Hardt's John D. Cornwell

**Press Release:** Eight Munsch Hardt Attorneys Named to Super Lawyers® 2020 Texas "Rising Stars" List

**Press Release:** Eight Munsch Hardt Attorneys Named on the Super Lawyers 2019 Rising Stars List

**Press Release:** Seven Munsch Hardt Attorneys Named to 2018 Texas Rising Stars List

**Press Release:** Introducing Munsch Hardt's Newest Shareholders

**Press Release:** Five Munsch Hardt Attorneys Recognized as 2017 Rising Stars by Thomson Reuters

**In The News:** Munsch Hardt Snags Norton Rose Bankruptcy Pro In Houston

**Press Release:** Bankruptcy, Financial Restructuring and Insolvency Practice Group Grows in Houston