



David Warfield

Partner

St. Louis
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PRACTICES

- Financial Restructuring

EDUCATION

- Washington University in St. Louis, JD, 1984, BSBA, 1981

ADMISSIONS

- Missouri

AFFILIATIONS

- American Bankruptcy Institute
- American Bar Association
- The Missouri Bar

EMPLOYMENT

- Thompson Coburn LLP Partner, 2009-Present
- Husch Blackwell Sanders LLP Partner, 2003-2009
- Husch & Eppenberger, LLC Partner, 1992-2003 Associate, 1984-1992

David is a 30-year veteran of the financial restructuring world who provides practical, straight-forward advice to all types of institutions that interact with a distressed business.

As the lead attorney for multiple high-profile matters, David is skilled at managing complex restructurings and unraveling the competing interests of all relevant parties. In both in-court bankruptcies and out-of-court workouts, David has led work on many complex, multi-party matters, including one recent case involving a large-scale fraud and tens of thousands of consumer claims. His clients include debtors, senior secured lenders, bondholders, creditors' committees, receivers and asset purchasers.

Tapping his business education, David looks for creative solutions that satisfy the diverse constituencies of a distressed business. He puts a premium on speed, as value erodes and options diminish nearly every day in a financial restructuring. David's quick thinking and persistence helps clients preserve value and plan for the future even as "the ice cube melts."

Recognitions

- Listed in "The Best Lawyers in America®, (by BL Rankings)," 1993-2023
- Named Lawyer of the Year for Litigation-Bankruptcy in St. Louis (by BL Rankings)" 2015, 2019
- Board of Directors, American College of Bankruptcy, 2019-Present
- Board of Directors, American College of Bankruptcy Foundation, 2020-Present
- Co-Chairman, Pro Bono Assistance Program for Pro Se Filers for Eastern District of Missouri, 2016-Present
- Fellow, American College of Bankruptcy, 2009-Present
- Listed in Missouri & Kansas Super Lawyers® (by Thomson Reuters), 2005-2021
 - Bankruptcy Creditor/Debtor Rights Law

- Top 50 in St. Louis 2005-2008; 2011-2013
- Top 100 in Missouri & Kansas, 2006; 2010-2013
- Eighth Circuit Regent to American College of Bankruptcy, 2014-2018
- Nominating Committee, American College of Bankruptcy, 2017
- Recipient, Turnaround of the Year from Turnaround Management Association, 2011
- Recipient, Judge Robert E. Brauer Innovations in Bankruptcy Law Award, 2005

Publications

- "Chapter 12 Family Farmer Cases in Missouri," *The Missouri Banker* May/June 2022
- "The Three Giants of Bankruptcy Law in St. Louis," 55 *Washington University Journal of Law and Policy* 87 2017
- Contributor *Non-Bankruptcy Alternatives* 2017
- "Managers of insolvent Missouri LLCs have no fiduciary duty to creditors," *Credit Report Blog*, December 2016
- "Two non-conventional uses for Missouri's new receivership statute," *Credit Report Blog*, November 2016
- "Chapter 12 family farmers cases in Missouri: A look inside the numbers," *Credit Report Blog*, September 2016
- Moderator, "Farm Bankruptcies" *Emerging Issues in Agricultural Lending Symposium*, sponsored by the University of Missouri 2016
- Webinar, "Seven Things You Should Know About the New Missouri Commercial Receivership Act" sponsored by TC 2016
- Contributor, *MOBar CLE Bankruptcy Practice Deskbook* 2015
- "Lender Liability" *Emerging Issues in Agricultural Lending Symposium*, sponsored by the University of Missouri June 2015
- "Sixth Circuit rules cows can be leased"; *Credit Report Blog*, September 2014
- "U.S. Supreme Court's decision in Clark won't impact inherited IRAs of Missouri residents"; *Credit Report Blog*, June 2014
- "Could a Detroit-style bankruptcy happen here?"; *St. Louis Business Journal*, September 2013
- Four-part series: "Why Missouri's receivership law is due for reform"; *Credit Report Blog*, September 2013
- "New credit agreement language goes into effect in Missouri on August 28"; *Credit Report Blog*, August 2013
- Moderator "Current Issues in Substantive Consolidation" *Midwestern Bankruptcy Institute* 2017

- Contributor, *Strategic Alternatives for and Against Distressed Businesses 2019 Edition* 2019
- Author, "The 1903 St. Louis Turf Investment Companies Scandal: Ponies and Ponzi Schemes" *116 Missouri Historical Review* 48 2021
- Moderator "Alternative Dispute Resolution" *Annual Bankruptcy Institute, Missouri Bar* 2018
- Farm Bankruptcy Update: "Trends, Laws, Procedures and Implications" *Sponsored by the University of Missouri* 2019
- Author, "Chapter 12 Bankruptcy Overview" *Practical Law* 2019
- "Johnson & Johnson: The Texas Two-Step and Talc-Related Liabilities" *Blog* November 3, 2021
- "Subchapter V in the Eighth Circuit: The Data from the First 18 Months" *Blog* September 8, 2021
- "Nine Bankruptcy Code Amendments Included in the Latest Appropriations Bill" *Blog* December 28, 2020
- "Why the Return of NOL Carry Backs May be Good News for Some Distressed Corporations" *Blog* June 4, 2020
- "Can Government Actions Restrict Creditors' Remedies During the COVID-19 Emergency" *Blog* March 19, 2020
- "Appeals Court Rules Bankruptcy Trustee can Recover Tuition Payments from College" *Blog* November 22, 2019
- Four Key Takeaways from the August 2019 Bankruptcy Code Amendments" *Blog* August 27, 2019
- "Supreme Court Decides Key Trademark License Issue in Bankruptcy" *Blog* May 21, 2019
- "Court Rules Subordination Agreement Bars Junior Creditor from Obtaining Discovery from Senior Creditor" *Blog* January 16, 2019
- "Managers of Insolvent Missouri LLCs have no Fiduciary Duty to Creditors" *Blog* December 7, 2016
- "Amendments to Chapter 12 Make it Easier for a Family Farmer to Reorganize" *Thompson Coburn Publication* November 3, 2017
- "Parsing the Legal and Financial Impact from Detroit's Bankruptcy" *Thompson Coburn Publication* November 14, 2013
- "Seven Things You Should Know About the Missouri Commercial Receivership Act" *Thompson Coburn CLE* June 14, 2016