

# Curtis Castillo



**Stephanie D. Curtis**  
**President and Shareholder**

**Curtis I Castillo PC**  
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Curtis I Castillo PC is registered as a Woman and Minority Owned Business Enterprise by the North Central Texas Regional Certification Agency (NCTRCA) and the Women's Business Enterprise National Counsel (WBENC). CCPC is also certified as a Historically Underutilized Business (HUB). Stephanie D. Curtis is of Native American ancestry and a registered member of the Cherokee Nation.

**Practice Areas:** Bankruptcy; Business Law; Debtor and Creditor; Commercial Litigation.

**Admitted:** 1990, Texas and U.S. District Court, Northern, Eastern, Western and Southern Districts of Texas and U.S. Court of Appeals, Fifth Circuit and Eleventh Circuit.

**Education:** University of Oklahoma (B.B.A., Finance, 1987; J.D., with honors, 1990).

## **Honors**

- Recognized as a Life Fellow by the Texas Bar Foundation, May 2013. This award recognizes service and devotion to the highest traditions of the Bar.
- Curtis I Castillo PC recognized as one of the Largest North Texas Women-Owned Businesses in the *Dallas Business Journal's* Book of Lists 2013, December 28, 2012 Edition.

- Curtis I Castillo PC recognized as one of the Top 100 Largest Women-Owned Businesses in North Texas, *Dallas Business Journal*, June 8-14, 2012 Edition.
- Recognized by D Magazine in "Remembering the Best Lawyers," The Best of Big D issue, August 2011. The selection process is based upon nominations and voting by peers in the Dallas legal community, followed by an evaluation process by a panel of eminent lawyers in the Dallas area.
- Voted one of the "Best Women Lawyers in Dallas 2010" by *D Magazine*, May 2010.
- Chosen as a fellow of the Litigation Counsel of America, April 2007.
- Voted one of the "Nation's Top 5% of Attorneys" by SuperLawyers.com (a Thomson Reuters Service), April 2007.
- Chosen as one of the "Top Attorneys and Law Firms of Dallas" by *Modern Luxury* magazine, June 2006.
- Chosen as a fellow of the Texas Bar Foundation, January 2006.
- Chosen as one of the "Dynamic Women of Dallas" by *Modern Luxury* magazine, October 2005, 2006 and 2007.
- Named "Texas Super Lawyer," by Super Lawyers, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, October 2007.
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- Named "Texas Super Lawyer," by Super Lawyers, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, October 2005.
- Named "Texas Super Lawyer," by Super Lawyers, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, October 2004.
- Named "Texas Rising Star" by Super Lawyers, Rising Star edition, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, July 2004.
- Voted one of "Best Lawyers Under 40 in Dallas," by *D Magazine*, May 2004.
- Voted one of "Best Lawyers in Dallas," by *D Magazine*, May 2003.
- Voted one of "Best Lawyers Under 40 in Dallas," by *D Magazine*, May 2002.
- Order of the Coif; Gamma Gamma Order of Omega; Phi Beta Kappa; President's Honor Roll; Member: Oklahoma Law Review; Board of Advocates; American Inns of Court.

**Martindale-Hubbell Rating:** As a result of an extensive and confidential peer review, Martindale-Hubbell awarded Ms. Curtis its highest AV rating. The AV rating identifies a lawyer with very high to preeminent legal ability.

## **Publications**

- Tarrant County Bankruptcy Bar, Trustee Resources for Maximization of Estate Recoveries, co-author with Mark A. Castillo, Marla C. Reynolds, and William K. Snyder, September 2006.
- "You No Sooner Get Your Head Above Water and Someone Pulls Your Flippers Off: Recent Developments in Bankruptcy Law," State Bar of Texas Advanced Business Law Course, 1991 and American Bankruptcy Institute, Winter Conference, 1994.
- "Recent Developments in Bankruptcy Law: The Impact on Commercial Lending," Banking Law Jo. Vol. III, No. 2, March/April 1994.
- "Bankruptcy Bulletin: A Round-up of Selected Decisions," Business Law Today, Vol. 3, No. 4, March/April 1994.
- "Dealing with the Devil: Financing of the Debtor in Possession," Institute for International Research Conference on Prepackage Bankruptcy Plans, 1991 and American Bankruptcy Institute, Northeast Bankruptcy Conference, 1994.
- "Building Chinese Walls in Bankruptcy Cases," American Bar Association Committee on Professional Ethics, 1993.
- "Role of Indenture Trustee in Bankruptcy," Dallas/Fort Worth Indenture Group, 1993.
- "Extending Trade Credit to a DIP: The Second Face of the Devil," PLI Representing the Trade Creditor and Landlord in Chapter 11 Cases - 1992 (Published: Course Handbook Series No. 362).
- "Prepackaged Bankruptcy Plans: A Big Gulp for Bondholders," American Bankruptcy Institute 1992 Annual Spring Meeting.

## **Presentations and Speaking Engagements**

- "Small Business Bankruptcies", 5th Annual Consumer Bankruptcy Practice sponsored by the University of Texas School of Law, Galveston, Texas, August 13-14, 2009.
- "Involuntary Bankruptcy: How, Why and When," Collecting Debts and Judgments, sponsored by University of Houston Law Foundation, August 1995, 1996, 1997, 1998, 2000, and 2005.
- 5th Annual Consumer Bankruptcy Conference, "Small Business Debtors", August 2009.

- 23rd Annual Advanced Business Bankruptcy Course Faculty Member, May 2005.
- "The Effect of Bankruptcy -- The Rights and Remedies Available to Secured Creditor and Real Estate Lenders" presented at the Problem Loans in Texas Seminar, sponsored by Sterling Education Services, Inc., March 26, 2003.
- "Real Estate Bankruptcies for Dummies -- A Bankruptcy Law Primer on Special Considerations in Real Estate Bankruptcies" presented at the Dallas Bar Association, Real Estate Section Meeting, March 11, 2002.
- "Gladiator Training 101: Providing Attorneys with Needed Weapons to Deal with the Lions Known as 'Secured Creditors' in Light of the Bankruptcy Reform Act," sponsored by Sterling Education Services, Inc., July, 2001.
- "Real Estate Bankruptcies: Special Considerations Including Partnership, Single Asset, Environmental and Valuation Issues" presented at the Advanced Real Estate Short Course, sponsored by the University of Houston Law Foundation, November, 2001.
- "Involuntary Bankruptcy: How, Why and When," Collecting Debts and Judgments, sponsored by University of Houston Law Foundation, August 1995, 1996, 1997, 1998 and 2000.
- "Bankruptcy Tools in a Creditor's Arsenal and Certain Ethical Considerations," Creditor's Rights-So You Have a Judgment Now What, Sponsored by Stomar Educational Services, Inc., April 11, 2000.
- "Solomon's Resurgence: Recent Updates on the Automatic Stay," Dallas Association of Legal Assistants, October 1994.

## **Background Information**

Born: Edmond, Oklahoma.

Background Information: Ms. Curtis began her career in 1990 in the bankruptcy section of Haynes and Boone, L.L.P., a recognized leader in the Texas legal community, and subsequently joined the bankruptcy section of the business practice group of Jones, Day, Reavis & Pogue. Seeing a significant need in the legal community for the efficient delivery of legal services while still providing a sophisticated level of experience, flexibility, open communication and support between corporate clients and outside counsel, she made the decision to open a private law practice in March of 1999.

In 2002 Ms. Curtis was chosen as the top bankruptcy lawyer and the 16th best lawyer in Dallas under 40 by her peers, as listed in "Best Lawyers Under 40 in Dallas," *D Magazine*, May and August 2002 editions.

Ms. Curtis was chosen as one of the best lawyers in Dallas by her peers, as listed in "Best Lawyers in Dallas," *D Magazine*, May 2003 edition. Ms. Curtis was again chosen as one of the "Best Lawyers in Dallas Under 40" as listed in *D*

*Magazine*, May 2004 edition. She was named a Texas Rising Star by Super Lawyers, Rising Star edition, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, July 2004, and a Texas Super Lawyer by Super Lawyers, a Thomson Reuters partner publication/insert distributed by *Texas Monthly*, October 2004, 2005, 2006 and 2007. Ms Curtis was also chosen as one of the “Dynamic Women of Dallas” in 2005, 2006, and 2007, and as one of the “Top Attorneys and Law Firms of Dallas” in 2006 by *Modern Luxury Magazine*. [SuperLawyers.com](http://SuperLawyers.com) (a Thomson Reuters Service) voted her in April 2007 as one of the “Nation’s Top 5% of Attorneys”.

Ms. Curtis is also a chosen fellow of the Texas Bar Foundation since January 2006 and a chosen fellow of the Litigation Counsel of America since April 2007.

### **Significant Representations**

- Successful representation of banks and other financial institutions in a wide array of proceedings pending before state courts, federal district courts, and bankruptcy courts, including debt collection actions, fraud actions, workouts, receiverships, objections to plan confirmations, motions for termination of the automatic stay, objections to use of cash collateral, asset sales, objections to discharge and dischargeability of debts, as well as the defense of offensive claims asserted back against the lender by borrowers/guarantors.
- Successful representation of banks and other financial institutions in negotiations with borrowers and guarantors of favorable terms for loans, modifications, extensions, and various work-outs.
- Representation of unsecured creditors’ committees and other creditor or equity groups during Chapter 11 proceedings, including the formation, oversight, and governance of the committee, investigation of the underlying debtor’s assets and the pre-petition activities of officers and directors, and the evaluation of actions proposed to be taken by the debtor during the course of the Chapter 11 proceeding.
- Successful representation of investors in pursuit of over \$2 million in claims against investment brokers and advisors for breach of fiduciary duty.
- Representation of real estate investment company and limited partnership as debtors in Chapter 11 bankruptcy proceeding, successfully facilitating the settlement of litigation and obtaining court approval on sale of north-Dallas real estate for \$6 million in cash and notes.
- Representation of supplier of information technology equipment in successful prosecution of reclamation claim in federal receivership resulting in a judgment for the client of approximately \$500,000.
- Representation of judgment debtors and collectors in complex defense and collection of judgments, including actions involving receiverships in both state and federal courts.

- Representation of large printing company in multiple phases of litigation; negotiation of financing contracts and wind-down of enterprise.
- Representation of Dallas' oldest commercial real estate institution in complex litigation and business conflict; instrumental in reaching settlement of \$9 million dispute with numerous opposing parties.
- Representation of companies in motor vehicle cab air conditioning industry in Chapter 11 bankruptcy; obtained court approval on sale of real estate for approximately \$2.5 million, and restructured an additional \$4 million of debt through companies' Plan of Reorganization.
- Representation of mortgage banking company in prosecution of avoidance action which subsequently resulted in an approximately \$1 million benefit to the bankruptcy estate.
- Representation of national metal manufacturers and providers in complex Chapter 11 cases.
- Representation of nationwide trucking and logistics companies in complex Chapter 11 cases resulting in the sale of millions of dollars of assets and successfully negotiating with toll authority to allow trucks to continue to run successfully through the reorganization process.
- Representation of investment companies in SEC receivership and bankruptcy cases in Northern District of Texas.
- Representation of a national energy company which specializes in drilling oil and gas wells in addition to owning significant interests in gas plays in the Barnett Shale in Texas as Debtor in a complex Chapter 11/Reorganization case.
- Representation of secured and unsecured creditors in significant bankruptcy cases in the oil and gas industry. Recent clients include an energy company which holds significant interests in the Barnett Shale and elsewhere.
- Representation of a complex Chapter 11 case for a drilling and exploration company operating in the Southwestern region of the United States.
- Creditor representation of numerous publicly and privately held entities and individuals in all facets of Chapter 7, 11, 12 and 13 bankruptcy matters, including reclamation, administrative, secured and unsecured claims resolution, preference matters and executory contract issues.
- Representation of numerous publicly and privately held companies in the acquisition of bankruptcy assets including real estate, manufacturing and distribution plants, transportation companies, companies in the oil and gas industry including those companies' mineral interests, and other assets and equipment.

- Representation of numerous publicly and privately held companies in debt restructuring and asset sales.
- Representation of one of world's leading food and beverage companies in numerous bankruptcy matters regarding negotiation, execution and interpretation of its exclusive service contracts.
- Representation of the nation's largest provider of outpatient surgery, diagnostic imaging and rehabilitative healthcare services in numerous bankruptcy matters, including loan agreement review, contract negotiation, plan treatment negotiation and global settlement of state court litigation matters wherein client and debtor were co-defendants.
- Representation of retail, wholesale, and software companies in business wind down and voluntary dissolution matters.
- Representation of turnaround managers, members of Boards of Directors, interim Chief Financial Officers, Chief Executive Officers and Chief Restructuring Officers regarding corporate reorganizations and insolvency matters.
- Representation of several large scale financial institutions in difficult and extensive debt and asset recovery matters.
- Representation of North American commercial financing division of large international truck and automobile manufacturer on voluminous secured lending and asset recovery matters.
- Representation of securities brokerage company in prosecution of one of largest securities fraud cases in Texas; obtained \$2.4 million nondischargeability judgment in bankruptcy court that was affirmed by the appeals court.
- Representation of large national entertainment company in prosecution of multi-million dollar breach of contract and fraud claims against nation's largest and oldest convenience store chain.
- Representation of national and global bonding and reinsurance corporations in Chapter 11 proceedings of large trucking and steel manufacturing conglomerate.
- Representation of national and global bonding and reinsurance corporations in liquidation proceedings of an international insurance company.
- Representation of numerous publicly and privately held entities and individuals in transactions involving troubled and insolvent businesses.
- Negotiation and implementation of loan restructurings, pre-negotiated, pre-packaged and out of court work-out plans for various entities.
- Client counseling and negotiation to insolvent entity in hospitality industry.

- Representation of mortgage company and its officers and directors in complex litigation involving multiple parties and claims regarding \$1 million mortgage loan warehouse facility and bank fraud allegations in bankruptcy proceedings of borrowers; successfully defended clients and prosecuted borrowers and related parties in critical and protracted state court litigation; further enhanced recovery to clients through out-of-court settlements with other implicated third parties.
- Successfully disqualified large, national law firm from paramount representation in mission critical litigation on ethical grounds.
- Representation of limited partners and owners of closely held corporation in complex litigation launched by chapter 7 trustee in bankruptcy proceedings of three gas entities; obtained dismissal of eight (8) counts plead through dispositive motion including allegations of receipt of fraudulent transfers, preferential transfers and for alleged breach of fiduciary duties; negotiations with federal taxing authorities, the General Services Administration and the United States Inspector General's Office regarding claim disputes and fraud allegations.
- Representation of lienholder on 14 parcels of real property in chapter 11 bankruptcy proceeding of property owner; successfully prevented owner's use of cash collateral; lifted automatic stay and foreclosed on all 14 properties within first 60 days of case.
- Representation of syndicated bank group in chapter 7 bankruptcy proceeding of El Paso Refinery regarding litigation over environmental issues.
- Representation of commercial property landlord of sizeable extrusion plant in large chapter 11 bankruptcy proceeding; negotiation of assumption of lease issues, cure issues and related fixture issues in relation to debtor's DIP lender and certain subordination issues involving landlord's lien.
- Defense of large avoidance claims and other bankruptcy-related litigation in Texas, New Mexico, California, Illinois, Nevada, Omaha, Maryland and Delaware, among other states.
- Representation of debtors in reorganization and liquidation bankruptcy cases.
- Formulation, implementation and confirmation of plans of reorganization.
- Formulation, analysis, and preparation of objections to disclosure statements and plans of reorganization.
- Client counseling and negotiation regarding maximization of unsecured claims; litigation regarding claim recovery.
- Client counseling and negotiation regarding post-bankruptcy recovery of secured assets; litigation in connection with maximizing recovery of secured assets in bankruptcy proceedings; litigation opposing secured claim treatment in plans of reorganization.



- Preference, fraudulent conveyance and other bankruptcy and commercial litigation.
- Representation of various contractors and subcontractors in corporate and debtor/ creditor matters.
- Representation of bankruptcy trustee in international litigation to recover Mexican assets from foreign corporations under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents and Inter-American Convention on the Issuance of Letter Rogatory.
- Successful reorganization in Chapter 11 of the nation's first and largest consolidator of the 5,000 + shopping mall concept in the antique mall industry.
- Successful reorganization in Chapter 11 of a popular restaurant chain and elimination of multi-million dollar obligation and related litigation by Phil Romano, a prior equity participant.
- Representation of large general contractor as debtor in complex Chapter 11 case involving bonding companies, secured lenders, IRS responsible party litigation, preference litigation and elimination of materialman liens and large insurance administrative burdens through audit.
- Representation of oil and gas working interest owner in large complex Chapter 11 reorganization of Texas operator.
- Representation of Chapter 11 debtor whose business operations consist of the operation of oil and natural gas drilling rigs for hire, operation and majority ownership interest in a specialty oil field service business, and investment in oil and natural gas wells as a working interest owner. Complex case involving fraud, constructive trust tracing, corporate malfeasance and complicated tax liabilities.

### **Member**

- Bar Association of the Fifth Federal Circuit
- American Bankruptcy Institute
- American Bar Association (ABA)
- American Indian Chamber of Commerce Texas (AICCT)
- Armstrong Bradfield Preschool Association
- Attorneys Serving the Community
- Business Founders Symposium 2006, Chair
- Conservancy of Arlington Hall at Lee Park
- Dallas Arboretum

- Dallas Bar Association
- Entrepreneurs Organization
- Historically Underutilized Business (HUB)
- Institute for Economic Empowerment of Women (IEEW), *Peace Through Business Mentor 2011*
- *Kid To Do at the Dallas Zoo 2012*, Host Committee Founding Member
- Litigation Counsel of America
- Meadowbrook Parents Association
- National Central Texas Regional Certification Agency (NCTRCA)
- North Dallas Chamber of Commerce
- Northwood University, Board of Governors
- People Empowerment Project, Board Chair
- Risk Management Association (RMA)
- State Bar of Texas
- Texas Bar Foundation
- The Dallas Theatre Center
- The Meadows Museum
- The Women's Auxiliary, Children's Medical Center
- Turnaround Management Association
- Women's Business Council-Southwest (WBCS)
- Women's Business Enterprise National Council (WBENC)
- Women's Council of the Dallas Arboretum and Botanical Garden, Member
- Women's Finance Exchange