



**Elizabeth Lee Thompson**

Title: Member

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Liz Thompson's practice focuses on creditors' rights, bankruptcy, and business litigation. She works with secured lenders to recover their loans and collateral through workout and forbearance, self-help remedies, state or federal court litigation, or bankruptcy proceedings. She assists secured and unsecured creditors, debtor in possession lenders, creditors' committees, sureties, suppliers, contractors, landlords, utilities, and purchasers of assets in both complex commercial bankruptcies, including Chapter 11 and Chapter 12 cases nationally.

She represents equipment and agricultural lenders in state court replevin and collection matters; and secured creditors in bankruptcy court. Liz represents parties in state and federal court litigation, including lender liability, mortgage litigation, landlord claims and other litigation. She also helps asset managers and investment funds identify and purchase commercial and industrial ("C&I") and commercial real estate ("CRE") credit facilities and assists with loan acquisitions and note buying.

Liz has extensive trial experience before state and federal judges in both the Eastern and Western Districts of Kentucky. She also frequently litigates evidentiary hearings before the United States Bankruptcy Court for the Eastern District of Kentucky in adversary proceedings and contested matters.

She joined the firm in 1995, previously served on its Management Committee, and is head of its Creditors' Rights & Bankruptcy Service Group.

# CAPABILITIES

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## Practice Areas

- Bankruptcy
- Business Litigation
- Creditors' Rights & Bankruptcy
- Creditors' Rights, Out-of-Court Workouts & Commercial Litigation
- Environmental Surety Law
- Financial Institutions
- Financial Services Litigation
- Health Care - Bankruptcy & Restructuring
- Loan Servicing (Special)

## RECENT ASSIGNMENTS

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- Represent suppliers in PG&E Chapter 11 bankruptcy
- Represent purchasers of assets in Chapter 11 cases including hospitals
- Represent secured creditors and sureties in mining company Chapter 11 cases nationwide
- Represent agricultural and equipment lenders in farm bankruptcies
- Represent sureties in Chapter 11 Bankruptcy of Westmoreland Coal Co. in the United States Bankruptcy Court for the Southern District of Texas
- Represent suppliers in Chapter 11 Bankruptcy of Westinghouse Electric Co. in the United States Bankruptcy Court for the Southern District of New York
- Represented secured creditors including regional banks and community banks in state and federal court litigation
- Collected millions of dollars in judgments including \$1.5 million recovery from enforcement of a U.S. judgment in Paris, France, in 2012
- Represented creditors, sureties and other parties in Chapter 11 coal company bankruptcies in several states including Lodestar, Inc., Horizon Natural Resources, Trinity Coal Corporation, Patriot Coal Corporation, Alpha Natural Resources, and Peabody Coal Company
- Represented asset managers, investment funds and lenders in acquisition of C&I and CRE loans, note purchases, and loan servicing
- Litigated enforcement of commodities contracts in state and bankruptcy courts
- Served as the principal bankruptcy attorney in the firm's engagement as counsel for the official unsecured creditors' committee in one of the biggest and highest-profile, personal bankruptcies in the history of Kentucky, the bankruptcy of Kentucky's former governor, Wallace G. Wilkinson
- Represented the debtor in Calumet Farm, Inc., the Chapter 11 bankruptcy of the largest horse farm in the nation
- Represented the secured creditor and DIP Lender in the Chapter 11 bankruptcy of a major regional clothing retailer

## BAR ADMISSIONS

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- Kentucky
- Pro Hac Vice admission - U.S. Bankruptcy Court for the Eastern District of Virginia
- Pro Hac Vice admission - U.S. Bankruptcy Court for the Northern District of California
- Pro Hac Vice admission - U.S. Bankruptcy Court for the Southern District of New York
- Pro Hac Vice admission - U.S. Bankruptcy Court for the Southern District of Texas
- U.S. Court of Appeals for the 6th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Western District of Kentucky

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- Information You Need on the COVID-19 Coronavirus *Stites & Harbison, PLLC* March 2020
- Creditors Take Notice: Changes to House Bills 155 and 411 *Stites & Harbison Client Alert*, July 10, 2020
- Collecting a Judgment  
Webinar presented to John Deere, July 8, 2020
- Asset Recovery Orders/Replevin Overview & Local Rules  
Webinar presented to John Deere, June 30, 2020
- Proofs of Claim and Adequate Protection  
Webinar presented to John Deere, June 19, 2020
- Hot Bankruptcy Decisions of 2019  
Webinar presented to John Deere, June 10, 2020
- 3 ways COVID 19 is impacting lenders in court  
LinkedIn, March 20, 2020
- New Bankruptcy Law May Increase Small Business Filings *with Erika R. Barnes , Eric J. Breithaupt , and Brian R. Pollock* *Stites & Harbison Client Alert*, February 18, 2020
- Three Things to Know About Secured Claims in Bankruptcy  
LinkedIn Video, January 2020
- Three Things to Know About the New Bankruptcy Law Amendments  
LinkedIn video, November 2019
- Westmoreland Coal to liquidate, but mines will continue bearing its name  
by Ellie Potter, *S&P Global Market Intelligence*, March 7, 2019
- Attorneys: Reopening Alpha bankruptcy case unlikely to impact coal producer  
by Ellie Potter, *S&P Global Market Intelligence*, January 11, 2019
- Electronic Transactions in Kentucky - A New Way of Doing Business? co-author Richard Simpson, Summer Associate, *Stites & Harbison Client Alert*, June 18, 2018
- Will the New Tax Law Result in Increased Equipment Demand? *Stites & Harbison Client Alert*, February 26, 2018

- Agricultural Bankruptcy Issues  
various in-house client presentations, 2017
- Rights of Equipment Lenders in Chapter 13, 11 and 12 Bankruptcy Cases Stites & Harbison  
Legal Update, August 31, 2017
- Law Firm Lawyers: Elizabeth Lee Thompson  
Chapter 3, **Grit, The Secret to Advancement: Stories of Successful Women Lawyers**, by  
Milana Hogan, American Bar Association Commission on Women in the Profession, August  
2017
- Injunctions Aren't Just for Executive Orders Stites & Harbison, PLLC Legal Update, February  
15, 2017
- Finishing First: Superior Client Service  
with Kimberly Schmittel, Director of Marketing & Client Development, Stites & Harbison  
Creditors' Rights & Bankruptcy Day at the Races, Keeneland, April 14, 2016
- Note Sale Expansion: Its Source and Implications  
with Alyson M. Cox (former Summer Associate), **The Real Estate Finance Journal**, Fall/Winter  
2015
- Note Sale Expansion: Its Source and Implications (Part Three) Stites & Harbison, PLLC, Client  
Alert, November 12, 2015
- Note Sale Expansion: Its Source and Implications (Part Two) *with Elizabeth L. Thompson ,  
Member , and Alyson M. Cox , and Summer Associate* Stites & Harbison, PLLC, Client Alert,  
October 26, 2015
- Note Sale Expansion: Its Source and Implications (Part One) *with Elizabeth L. Thompson ,  
Member , and Alyson M. Cox , and Summer Associate* Stites & Harbison, PLLC, Client Alert,  
October 6, 2015
- Privacy & Data Security - April 23, 2015 *with Ian T. Ramsey and Sarah Cronan Spurlock*  
Keeneland, April 23, 2015
- Are slow pay customers undermining your small company's profits  
*Business First of Louisville*, May 29, 2015
- Collecting Charge-Offs: A Valuable Source of Revenue (Part Three of Three-Part Series) *with  
Elizabeth L. Thompson , Member and Robin Frazer , and Summer Associate* Stites & Harbison  
Client Alert, July 28, 2014

- Collecting Charge-Offs: A Valuable Source of Revenue (Part Two of Three-Part Series) *with Elizabeth L. Thompson , Member and Robin Frazer , and Summer Associate Stites & Harbison* Client Alert, July 21, 2014
- Collecting Charge-Offs: A Valuable Source of Revenue (Part One of Three-Part Series) *with Elizabeth L. Thompson , Member and Robin Frazer , and Summer Associate Stites & Harbison* Client Alert, July 16, 2014
- OCC Issues New Guidance for National Banks Stites & Harbison, PLLC, Client Alert, July 22, 2011
- Debtor-In-Possession and Exit Financing Aspatore, February 2010

## FIRM LEADERSHIP

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- Creditors' Rights & Bankruptcy Service Group, Chair
- Management Committee, Past Member

## MEMBERSHIPS

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- American Bar Association
- Kentucky Bar Association
- Fayette County Bar Association
- American Bankruptcy Institute
- Fayette County Women Lawyers Association

## COMMUNITY INVOLVEMENT

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- Northern Kentucky University, Board of Regents, 2010-16
- Central Kentucky International Womens' Insolvency and Restructuring Confederation Board
- Women Leading Kentucky Advisory Board
- Leadership Kentucky, Class of 2004
- Mary Queen of the Holy Rosary parish, Member
- Catholic Action Center, Volunteer

## EDUCATION

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University of Kentucky College of Law J.D. 1982

University of Kentucky B.B.A. with high distinction 1979

## MORE THAN STITES & HARBISON

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Liz was Shareholder and Vice President of the Lexington office of a commercial law firm. She managed that office and served as senior litigation attorney.

Liz and her husband, J.D. enjoy spending time with their children and grandchildren, playing tennis, and vacationing in Santa Rosa Beach, Florida, and Frankfort, Michigan.



## ACCOLADES

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- *Martindale-Hubbell*® AV-Preeminent® Peer Review Rated
- *Best Lawyers in America*®, Bankruptcy & Creditor-Debtor Rights / Insolvency & Reorganization Law (2007-20)
- *Best Lawyers in America*®, Lexington Area Lawyer of the Year for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2018)
- The University of Kentucky Law Alumni Association, Professional Achievement Award (2009)
- Certified in Business Bankruptcy by the American Board of Certification