



**Erika R. Barnes**

Title: Member

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Erika Barnes is a member of the firm's Creditors' Rights and Bankruptcy Service Group and the Business Litigation Service Group. Erika is certified as a specialist in Business Bankruptcy by the American Board of Certification. Erika represents creditors and franchisors in bankruptcy cases nationwide. She also has experience representing creditors' committees and Chapter 11 trustees. Erika handles real estate curative litigation and complex commercial litigation matters in state and federal courts. She frequently represents lenders in commercial foreclosures and mortgage litigation.

# CAPABILITIES

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## Practice Areas

- Bankruptcy
- Business Litigation
- Creditors' Rights & Bankruptcy
- Creditors' Rights, Out-of-Court Workouts & Commercial Litigation
- Financial Services Litigation
- Franchise & Distribution
- Litigation & Appeals
- Loan Servicing (Special)
- Real Estate & Land Use Litigation

## RECENT ASSIGNMENTS

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- Assisted secured creditor with Chapter 11 bankruptcy representation and recovery on loan secured by major downtown Nashville hotel
- Represented national restaurant franchisors in Chapter 11 bankruptcy of franchisee involving more than 120 franchise locations
- Represented secured creditors and loan servicers in receiverships and foreclosures of apartment complexes, hotels, retail space and other commercial property
- Represented the Official Committee of Unsecured Creditors for the Jockey's Guild, Inc. Chapter 11 bankruptcy
- Represented the liquidating trustee for the Lightyear Holdings, Inc., et al. Chapter 11 bankruptcy
- Successfully litigated trial and appeal of breach of contract claim
- Represented major equipment finance companies in bankruptcy and collection matters

## BAR ADMISSIONS

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- Kentucky
- Tennessee
- U.S. Court of Appeals for the 6th Circuit
- U.S. Court of Appeals for the 8th Circuit
- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Middle District of Tennessee
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Western District of Tennessee

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- Reining in the Woo-Girls: Navigating short-term rentals  
Hot Topics in Real Estate 2022, Tennessee Bar Association and Tennessee Land Title Association, November 4, 2022
- Amendments to the Bankruptcy Code Impact Lessors Post COVID-19 *with Brian R. Pollock*  
Stites & Harbison Client Alert, July 14, 2021
- Collecting a Judgment  
Webinar, July 8, 2020
- Asset Recovery Orders/Replevin Overview & Local Rules  
Webinar, June 30, 2020

- Proofs of Claim and Adequate Protection  
Webinar, June 19, 2020
- Hot Bankruptcy Decisions of 2019  
Webinar, June 10, 2020
- New Bankruptcy Law May Increase Small Business Filings *with Brian R. Pollock* Stites & Harbison Client Alert, February 18, 2020
- Trademarks in Bankruptcy *with Alexandra MacKay* Stites & Harbison Client Alert, May 28, 2019
- Tarnished Arches: A Survey of Franchise Bankruptcy Issues  
Nashville Bar Association CLE, April 10, 2017
- To License or not to License? Stites & Harbison Client Alert, April 29, 2015
- The Servicemembers Civil Relief Act: What it means for creditors' rights Stites & Harbison Client Alert, July 3, 2013
- Procedural arguments may carry the day, but only if timely raised Stites & Harbison Client Alert, February 20, 2013
- Bootcamp: Foreclosure and Loan Workout Procedures  
National Business Institute, September 2011
- Tennessee foreclosure statutes: Lenders, take note Stites & Harbison, PLLC, Client Alert, June 18, 2010
- The Law and Practice of Foreclosure  
29th Annual Conference on Legal Issues for Financial Institutions, University of Kentucky College of Law, Lexington, Ky., September 2009
- What to do When a Construction Project Goes Bad  
Lorman Education Services, Louisville, Ky., February 26, 2008
- Bank Garnishments - Do Your Duty!  
*Kentucky Banker Magazine*, October 2007
- In-Depth Title Insurance Principles  
National Business Institute, June 2007

## FIRM LEADERSHIP

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- Office of General Counsel, Ethics Subcommittee (2023-present)
- Nashville Office Recruiting Committee, Member
- Management Committee, Member (Feb. 2020-24)

## MEMBERSHIPS

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- American Bar Association
- Kentucky Bar Association
- American Bankruptcy Institute
- Nashville Bar Association
- Tennessee Bar Association , Bankruptcy Section, Chair
- Turnaround Management Association
- Lawyers' Association for Women - Nashville , Marion Griffin Chapter
- American Board of Certification , Board of Directors
- Mid-South Commercial Law Institute , Director

## COMMUNITY INVOLVEMENT

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- Nashville Emerging Leaders, Class of 2011

## EDUCATION

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Vanderbilt University Law School J.D. 2004

- Dean's List
- Carl J. Ruskowski Clinical Legal Education Award
- Vanderbilt Scholastic Excellence Awards in Federal Income Tax and Regulation of Financial Institutions
- *Vanderbilt Journal of Entertainment Law and Practice*, Notes Editor
- Moot Court Board

Tennessee Technological University M.B.A. 2001

Tennessee Technological University B.S., World Cultures and Business *magna cum laude* 2000

Tennessee Technological University B.A., Foreign Language, French *magna cum laude* 2000

## MORE THAN STITES & HARBISON

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Prior to attending law school, Ms. Barnes was a French translator for ITI Worldwide in Cookeville, Tennessee. During law school, Ms. Barnes worked as a legal intern for Caterpillar Financial Services Corporation. Erika is a member of the board of directors of the American Board of Certification, an organization that certifies attorneys as specialists in business bankruptcy, consumer bankruptcy and creditors' rights law. She is a director of the Mid-South Commercial Law Institute, current Chair of the Tennessee Bar Association Bankruptcy Section and is a graduate of the 2011 Nashville Emerging Leaders Class.

## ACCOLADES

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- *Martindale-Hubbell*® AV-Preeminent® Peer Review Rated
- *Best Lawyers in America*®, Bankruptcy and Creditor-Debtor Rights / Insolvency and Reorganization Law (2018-25)
- *Mid-South Super Lawyers*® (2023-24)
- *Mid-South Super Lawyers*®, Rising Star (2012-20)
- National Association of Trial Advocacy, NITA Advocate
- Board Certified - Business Bankruptcy Law - American Board of Certification
- Nashville Emerging Leaders, Class of 2011

## TESTIMONIALS

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" Erika is an outstanding attorney! "

- *Martindale-Hubbell*

" . . . top-notch lawyer who stands well above her peers in ability. "

- *Martindale-Hubbell*