

Timothy C. Mohan

Senior Counsel

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Tim Mohan is a nationally recognized problem-solver for complex restructuring, bankruptcy, and state receivership matters. Tim delivers sharp legal strategy and business-focused solutions for clients facing financial distress. He's trusted by companies, creditors, and investors to navigate high-stakes Chapter 11 cases, state receiverships, and workouts—maximizing value and driving results when it matters most.

Tim represents a diverse array of stakeholders—debtors, secured and unsecured creditors, committees, asset purchasers, and investors—across industries such as energy, oil and gas, manufacturing, retail, and health care. Backed by a strong financial and accounting background and his ability to navigate multifaceted restructurings and deliver favorable outcomes, Tim has earned him recognition from peers and industry publications alike.

Clients rely on Tim not only for his technical expertise, but also for his collaborative style and deep understanding of the business implications of insolvency. Whether negotiating complex settlements, litigating valuation disputes, or structuring asset sales, Tim is known for his clarity, responsiveness, and commitment to maximizing value for his clients.

Representative Experience

- **Higher Ground Education, Inc.** – Lead counsel to Higher Ground Education and its 34 subsidiaries in their Chapter 11 proceeding in the N.D. of Texas.
- **Ideanomics, Inc.** – Lead counsel to Ideanomics, Inc. and its affiliated Debtors in the District of Delaware.
- **Telephone USA Investments, Inc.** – Lead counsel to Telephone USA Investments, a minority-owned business that owned and operated local exchange, long distance, and internet services to more than 60,000 customers in 35 exchanges in rural Wisconsin, in its Chapter 11 proceedings in the N.D. of Illinois. Foley confirmed a value-maximizing Plan of Liquidation that paid all allowed claims in full and provided over \$1 million of recoveries to Telephone USA's equity. Foley's work on this case was

recognized in as the Divestiture of the Year (Under \$100MM) at the M&A Advisor Turnaround Awards.

- **Lightning eMotors, Inc. (“LEM”)** – Lead company and Receiver counsel in LEM’s Colorado Receivership, producing a value-maximizing sale of substantially all of LEM’s assets and providing a substantial recovery for unsecured creditors. While Tim prepared LEM for a potential Chapter 11 filing, it became clear that Chapter 11 would not maximize value. Tim and the Foley team pivoted to a Colorado Receivership that effectuated a creative sale that provided recoveries much larger than what would have been available in a Chapter 11 proceeding.
- **Brazos Electric Power Cooperative, Inc.** – Special counsel to Brazos Electric Power Cooperative, Inc. in Chapter 11 proceedings in the S.D. of Texas, resolving over \$1 billion in rejection damage and natural gas claims.
- **Stein Mart, Inc.** – Represented Stein Mart, Inc. in the liquidation of its national retail business.
- **Hooper Holmes, Inc. (Provant)** – Guided Hooper Holmes, Inc. (Provant) through Chapter 11 and a Section 363 sale. Foley received the Turnaround Atlas Award for Small Market Special Situation M&A Deal of the Year for the value-maximizing sale of substantially all of Provant’s assets.
- **Briggs & Stratton Corporation** – Represented Briggs & Stratton Corporation in its Chapter 11 case involving over \$500 million in funded debt.
- **CARBO Ceramics Inc.** – Represented the Official Committee of Unsecured Creditors in CARBO Ceramics Inc.’s bankruptcy, achieving a settlement that quadrupled projected recoveries for parent entity creditors and ensured full payment to subsidiary creditors.
- **Shiloh Industries, Inc.** – Counsel to the Official Committee of Unsecured Creditors in the automotive bankruptcy case of Shiloh Industries, Inc.
- **Pier 1 Imports** – Represented the Official Committee of Unsecured Creditors in the retail bankruptcy case of Pier 1 Imports.

Awards and Recognition

- **Barrister’s Best** – Best Bankruptcy Lawyer, Barrister’s Choice (Law Week Colorado, 2024)
- **Best Lawyers: One to Watch** – Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law (2021–2025)
- **Turnaround Atlas Award** – Small Market Special Situation M&A Deal of the Year (for Hooper Holmes, Inc. (Provant) representation)
- **M&A Advisor Turnaround Award** – Divestiture of the Year (Under \$100MM) (for Telephone USA Investments representation)

Affiliations

- Member, American Bankruptcy Institute
- Member, Turnaround Management Association
- Member, Association of Insolvency & Restructuring Advisors
- Licensed Certified Public Accountant, State of Illinois (inactive)
- Frequent speaker and panelist at industry conferences and continuing legal education seminars

Sectors

- Health Care & Life Sciences
- Providers of Health Care Services

Practice Areas

- Bankruptcy & Business Reorganizations
- Creditor Committee Representation
- Litigation

Education

- Wake Forest University School of Law, (J.D., 2013)
 - Recipient, CALI Excellence for the Future Award
 - Staff Member, *Wake Forest Law Review*
- Tulane University, (B.S., magna cum laude, 2006)
 - Finance and Accounting
- Tulane University (MACCT, 2006)
 - Masters of Accounting

Admissions

- Admitted to practice in: New York, Illinois, Colorado, and several federal courts throughout the United States