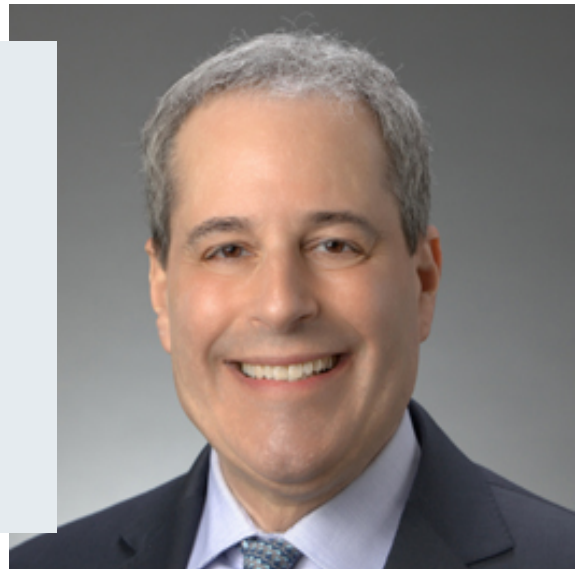


## Mark L. Prager Partner/Retired

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Chicago



Mark L. Prager is a litigation lawyer with Foley & Lardner LLP and a member and former chair of the national Bankruptcy & Business Reorganizations Practice, which focuses on Chapter 11 restructuring, litigation, transactions, regulatory and corporate finance matters. He was elected to the National Management Committee (2000 – 2009) and is the former office managing partner in Chicago (2004 – 2012). Mark is retained as lead counsel to financial institutions, secured creditors, debtors, indenture trustees, banks, and creditor committees in national and local reorganization cases, commercial transactions, and complex litigation. These cases include multi-billion dollar official creditor committee representation, indenture trustee representation in major Chapter 11 cases, including General Growth Properties, Farmland Industries, and American Airlines, counseling to the Trustees of the \$20 billion Deep Horizon Oil Spill Recovery Trust, liquidating trust representation of leading financial institutions and liquidations of broker-dealers under the Securities Investor Protection Act. Mark is also a member of the Finance & Financial Institutions Practice.

### Awards and Recognition

- Selected by his peers for inclusion in *The Best Lawyers in America*® in the fields of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2020 – 2023)
- Peer review rated as AV Preeminent®, the highest performance rating in Martindale-Hubbell® Peer Review Ratings™
- Selected for inclusion in the Illinois *Super Lawyers*® lists (2005 – 2016)\*

### Affiliations

- Elected secretary to the board of directors of the Chicago Council of Lawyers and was chair of the Council's Legislative Committee
- Member of the Association of Trial Lawyers of America

- Served as legal intern to former Chief Bankruptcy Judge Robert L. Eisen for the Northern District of Illinois, Eastern Division
- For three years, he was an arbitrator for the National Association of Securities Dealers

Mark was an adjunct professor of law at Washington University in St. Louis (2008, 2009 and 2010) and taught a course on advanced corporate restructuring. He also served as an adjunct professor at Northwestern University School of Law in Chicago (2012 – 2015) and taught a course on Chapter 11 litigation and advanced strategy. Mark lectures regularly at legal education seminars and has taught advanced bankruptcy strategy for the Chicago Bar Association. His insightful commentary has been utilized by national and local media, such as CNN Business News, The Wall Street Journal, and Crain's Chicago Business.

### **Presentations and Publications**

- "Financing the Chapter 11 Debtor: The Lender's Perspective," American Bar Association's, *The Business Lawyer*, 1990
- "Pursuing Alter-Ego Liability Against Non-Bankrupt Third Parties: Structuring A Comprehensive Conceptual Framework," *The Saint Louis University Law Journal*, 1991
- "Protecting Secured Lenders in the Workout of LBO Related Loans," *Commercial Lending Review*, 1992
- "Filing and Contesting Involuntary Bankruptcy Petitions: The Creditor's Perspective," *Commercial Lending Review*, 1993
- "Environmental Lender Liability: Searching for Safe harbors in the Wake of Kelly v. U.S. EPA," University of Wisconsin Law School, *Environmental Law Journal*, Summer 1994
- "Realizing Maximum Value When Holding and Liquidating Contaminated Property: Practical Considerations for the Secured Lender After Kelly vs. U.S. EPA," *Commercial Lending Review*, Fall 1994
- "No Band-Aid Approach Can Heal the Woes of CERCLA / What the EPA Gives, the Courts Take Away," *Corporate Legal Times*, March 1995
- "Getting to the Bottom Line: The Search for Credibility and Fraud in a Bankruptcy Case," *The Corporate Analyst (Business Laws, Inc.)*, May 1996
- "Key Issues in Chapter 11 Retailer Inventory Sales: The Lender's Perspective," *Commercial Lending Review*, Winter 1997–98
- "Health Care Finance and Insolvency: The Lender's Perspective," *Commercial Lending Review*, Winter 1999–2000
- "The Growing Use of Liquidating Trusts in Chapter 11 Cases Practical Considerations," *Commercial Lending Review*, March 2002

### **Education**

- Washington University School of Law (J.D.)

- University of Illinois (B.S., magna cum laude)

## **Admissions**

- Illinois
- Wisconsin

\*The Illinois Supreme Court does not recognize certifications of specialties in the practice of law and no award or recognition is a requirement to practice law in Illinois.