

Evan Atkinson

ASSOCIATE



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Evan Atkinson advises clients across many industries, including healthcare, hospitality, manufacturing, and financial services in corporate restructuring and complex disputes related to bankruptcy and creditors' rights issues, as well as in mergers, acquisitions, divestitures, and other strategic business transactions.

Evan has extensive experience in bankruptcy matters, including the representation of debtors, secured and unsecured creditors, patient care ombudsman, and perspective purchasers of estate assets in complex chapter 11 bankruptcy cases.

Prior to joining Waller, Evan gained valuable experience serving as a judicial clerk and judicial extern in the United States Bankruptcy Courts for the Western and Northern Districts of Texas, respectively.

Evan earned his undergraduate degree from American Military University while serving in the United States Army. Among other assignments during his nine years of service, Evan served as a Blackhawk doorgunner in Iraq during Operation Iraqi Freedom 07-09 and as a shop foreman of a maintenance platoon in Iraq during Operation New Dawn.

EXPERIENCE

- **FM Coal and affiliates confirm plan of reorganization**

Served as lead bankruptcy counsel to FM Coal, LLC and five of its affiliates in their Chapter 11 cases and in negotiating a plan of reorganization.

- **Roman Catholic Diocese of Harrisburg files for Chapter 11 bankruptcy relief**

Serving as primary debtor's counsel to the Roman Catholic Diocese of Harrisburg in its Chapter 11 bankruptcy proceeding pending in the U.S. Bankruptcy Court for the Middle District of Pennsylvania.

- **Huntsville Memorial Hospital files for bankruptcy**

Represented Huntsville Memorial Hospital as debtor's counsel in its Chapter 11 proceeding.

- **Celis Brewing owner, operator files for bankruptcy**

Served as debtors' counsel for FFBC Operations and FFBC Real Estate in the bankruptcy

proceedings of Celis Brewing.

- **Restaurant franchise owners file for bankruptcy**

Represented restaurant franchise owners in a jointly administered Chapter 11 bankruptcy proceedings, including advising with regard to complex master leases and subleases and franchise agreements.

- **Creditor recovers substantial settlement from Chapter 7 debtor in dischargeability action**

Assisted an unsecured creditor in bankruptcy proceedings to recover substantial settlement from non-estate assets to settle objection to proposed settlement and dischargeability action.

- **TransPecos Banks obtains Chapter 11 trustee**

Represented TransPecos Banks in Chapter 11 cases of wholesale food processing companies KHRL Group, LLC and Papa Grande Gourmet Foods, LLC and successfully obtained appointment of a Chapter 11 Trustee following a series of contested hearings.

- **Promise Healthcare confirms plan of liquidation after successful closing of multiple sales**

Negotiated the sale of a number of hospitals for Promise Healthcare and confirmed a plan of liquidation with significant recoveries for unsecured creditors.

- **Insurance agency sues former surety for improper agency termination**

Represented a Texas-based insurance agency in a lawsuit against a national surety for breach of contract and violations of the Texas Insurance Code.

- **Promise Healthcare Group, LLC restructures and files for bankruptcy**

Serving as lead debtor's counsel to Promise Healthcare in its restructuring and pending bankruptcy.

EDUCATION

- J.D., *cum laude*, SMU Dedman School of Law, 2017
 - Editor-in-Chief, *SMU Science and Technology Law Review*
 - Barristers
 - American Bankruptcy Institute, Medal of Excellence
 - State Bar of Texas, Environmental and Natural Resources Law Section, Annual Student Note Award
- B.A., American Military University, Psychology, 2014
 - Pi Gamma Mu Honor Society

BAR ADMISSIONS

- Texas

PROFESSIONAL INVOLVEMENT

- Member, Austin Bar Association
- Member, Austin Young Lawyers Association
- Member, State Bar of Texas Bankruptcy Law Section Young Lawyers Committee
- Member, The Honorable Larry E. Kelly Bankruptcy Inn of Court
- Member, American Bankruptcy Institute

COMMUNITY INVOLVEMENT

- Veterans Legal Assistance Program, Volunteer Attorney
- University of Texas School of Law Duberstein Moot Court Team, Coach
- 2020 Austin Under 40 Awards, Committee Member
- Austin Sunshine Camps, Volunteer

UP CLOSE

Evan is a 5th generation Texan but an Austin transplant. He enjoys exploring the Texas Hill Country with his wife and two boys, playing golf, road cycling, hiking, hunting and fly fishing. Evan also supports the Dallas Cowboys and SMU's football and basketball teams but he can't say that he always "enjoys" it.