



Helen Klassen

EDISCOVERY MANAGER

TEL 212-999-9999

EMAIL hklassen@squared.com

OFFICE New York

Helen Klassen is a partner and heads Squared's Privacy and Cybersecurity practice area.

She is an experienced litigator and trial attorney who focuses on complex commercial disputes and class action defense. She has served as lead or co-lead trial counsel in federal and state court matters across the country. Helen continually works with clients during all stages of litigation to achieve their strategic goals as efficiently as possible.

Helen has defended national and international Fortune 500 companies and other large multinationals in a wide range of actions in both state and federal court. She has successfully represented clients facing litigation involving products liability, toxic torts, wage and hour disputes, discrimination and harassment claims, general negligence, warranties, construction defects and other product-related and employment-related issues.

EDUCATION

Santa Clara University
School of Law, 2003, JD

Santa Clara University, 1998,
BS, Political Science and
English

BAR ADMISSION

US District Court for the
District of New York

US District Court for the

Helen also leads Squared's E-discovery Task Force and advises clients on electronic discovery related issues including litigation hold processes, responding to electronic discovery requests, and negotiating and defending electronic discovery production protocols. She has represented clients in discovery related litigation issues including privilege disputes, evidentiary hearings related to discovery compliance, and defending against discovery sanctions requests

LEGAL EXPERIENCE

Verity Health System (Chapter 11 – Los Angeles, California). Serving as counsel to the debtors, a large California-based health care system, in the second largest chapter 11 hospital bankruptcy in American history, filed in the US Bankruptcy Court for the Central District of California (Los Angeles) on August 31, 2018. Issues include the marketing and sale of 6 hospitals and related assets, debtor in possession financing of \$185 million, resolving labor issues and collective bargaining agreements, and the treatment of hundreds of millions of dollars of claims arising in connection with pension plans.

Astria Health (Chapter 11 – Washington). Representing Astria Health System in a recent filing of 13 related chapter 11 cases. Located in Yakima, Washington, the health system includes three operating acute care hospitals.

International Finance Corporation – World Bank Group. Leads the firm's panel representation for IFC with respect to various workouts across the globe, including the Juan Santamaria Airport, Costa Rica, which received IFC's Award for Best Recovery for FY 2010.

Northern District of New Jersey

PRACTICE AREAS

Privacy and Cybersecurity

Litigation

Business

Product Liability

INDUSTRIES

Financial Services

Healthcare

HONOURS & AWARDS

The Legal 500 US, 2015–2016

The M&A Advisor's 2014 Restructuring of the Year Award (City of Detroit)



United States Department of the Treasury (Washington, DC). Special Master to the Treasury Department on applications for suspensions to financially distressed multiemployer pension plans under the Multiemployer Retirement Act (MPRA) of 2014.

Federal Deposit Insurance Corporation (FDIC) in First NBC Bank (Louisiana), Washington Mutual Bank (WAMU) (Delaware), K Bank (Maryland), First Regional Bank (California), Corus Bank (Illinois), Capital Bancorp (Michigan) and Image Master (Washington, DC). These in- and out-of-court matters have included investigations of potential director and officer liability claims, liquidations of bank assets, multi-million dollar tax claim recovery litigation and other matters.

Puerto Rico. Represented the Fiscal Agency and Financial Advisory Authority and the Government Development Bank for the Commonwealth of Puerto Rico in its restructuring advice prior to Commencement of Title III and VI proceedings under PROMESA.

The City of Detroit, Michigan, Chapter 9 (E.D. Michigan). Represented the Official Committee of Retirees in the largest municipal bankruptcy case in US history. The Committee represented approximately 23,500 retirees who held more than \$9 billion in claims for pension and other post-employment benefits, including health care. The representation resulted in the protection of almost all pension benefits and continued health care benefits under first-of-kind municipal retiree voluntary employment benefit association (VEBA) trusts.

Hovensa LLC, Chapter 11 (St. Croix). Counsel to the Plan

Chapter 9)

The Deal Pipeline's "Top Bankruptcy Lawyers" league table, 2015–present

ADDITIONAL LANGUAGES

Cantonese



Trustee (previously the Official Committee of Unsecured Creditors of Hovensa LLC), which had been the second largest oil refinery and terminal facility in the North Hemisphere. Unsecured claims in the case total more than \$2 billion. Issues involve the sale of assets, assessment of insider claims and related causes of action. This deal won Private Equity Turnaround of the Year award by the Global M&A Network in association with ArcLight, and thus far has resulted in 100% distributions to trade creditors.

Greater Southeast Community Healthcare Corporation. et al. and The DCHC Liquidating Trust, Chapter 11 (Washington, DC). Represented the Official Committee of Unsecured Creditors during bankruptcy and, post-confirmation, served as the Plan Trustee in one of the largest restructuring matters ever filed in the District of Columbia. The cases involved five failed hospitals and a management company and led to multi-million dollar recoveries from the sale of assets and claims for director, officer and third party malfeasance, as well as fraudulent conveyance and other avoid actions.

Arcapita, Chapter 11 (S.D. New York). Represented two non-U.S. financial institutions in this first-of-its-kind bankruptcy of a Middle Eastern bank on issues involving Sharia financing.

European Investment Bank (EIB) (Europe). Advised EIB on a \$1 billion financial transaction with Ford (Europe) at a time when the automobile industry was in significant financial distress.

Kodak, Chapter 11 (S.D. New York). Represented the Pension Benefit Guaranty Corporation (PBGC) individually and on the Official Committee of Unsecured Creditors. The PBGC



held a claim of more than \$1 billion, which was preserved and protected.

Nuo Therapeutics Inc., Chapter 11 (Delaware). Representing Nuo Therapeutics Inc., a publicly traded biomedical wound care company, in its Chapter 11 proceedings.

New York University and NYU School of Medicine. Representation of NYU and NYUSOM on several in- and out-of-court restructuring and litigation matters.

The Clare at Water Tower, Chapter 11 (N.D. Illinois). Represented the Official Committee Unsecured Creditors (and Residents), which resulted in the successful sale of one of the most valuable continuing care retirement communities (CCRC) in the United States and the protection of residents' interests.

Middlebrook Pharmaceuticals, Chapter 11 (Delaware). Represented the Official Committee of Creditors, which resulted in the sale of assets and 100% plus recovery to unsecured creditors.

Allegheny Health, Education and Research Foundation (AHERF), Chapter 11 (W.D. Pennsylvania). Represented the Commonwealth of Pennsylvania in one of the largest hospital system bankruptcy cases in US history.

Lehman Brothers. Represented various creditors against Lehman Brothers entities in the United States, England and the Netherlands.

Refco, Chapter 11 (S.D. New York). Represented creditors holding approximately \$100 million in claims.



Mirant, Chapter 11 (N.D. Texas). Represented Mirant and its affiliates in one of the largest energy bankruptcy cases filed in the United States.

Response Oncology, Inc., Chapter 11 (W.D. Tennessee). Represented the debtor, a nationwide group of oncology practices, in its restructuring and ultimate sale of assets.

Computer Learning Centers. Represented SLM Corp. (Sallie Mae) in one of the largest educational bankruptcy case filings in the United States. Assisted SLM on recovery of millions of dollars in claims.

MSCi, Inc., Chapter 11 (Baltimore, MD). Represented the Official Committee of Unsecured Creditors in the reorganization of MSCi, a publicly traded audio-visual integration company.

MEMBERSHIPS

Cybersecurity Lawyers Association of America, Board Member

Privacy & Data Protection Collation of Corporations, Member

INSIGHTS

Under the Influence: The Competition Bureau's Stand on Misleading Product Endorsements



