

**Best LGBT Lawyers Under 40: Class of 2013
Nomination Form**

Nominee Information

Name: Andrew Parlen Date of Birth: July 2, 1977
Title: Partner Firm/Organization: O'Melveny + Myers LLP
Mailing Address: 400 S. Hope St., 18th Floor City, State Zip: LA, CA 90071
Phone Number: (213) 430-6262 Email Address: aparlen@omm.com

Nominator Information

Name: Suzanne Uhland
Title: Partner Firm/Organization: O'Melveny + Myers LLP
Mailing Address: Two Embarcadero Center, 28th Floor City, State Zip: SE, CA 94111
Phone Number: (415) 984-8941 Email Address: suhland@omm.com
Relationship to Nominee: Law firm partners

Optional: To your knowledge, does the nominee identify as any of the following?

☐ Racial or Ethnic Minority ☐ Female ☐ Transgender
☐ Person with Disability ☐ Other: _____

The complete nomination package must be submitted via email to nominations@LGBTbar.org **no later than 5:00 pm EDT on June 3, 2013**. Please submit the following information:

- Nomination Form
- Statement of Support of Nominee (not to exceed 2 pages). Please include:
 - Details on achievements within their legal field
 - Details on their commitment to LGBT equality
- Current Resume of the Nominee
- Letters of Support

Andrew Parlen - Statement of Support of Nominee

Confidential materials is in bold.

Andrew Parlen is a partner in O'Melveny's Los Angeles office and a member of the Restructuring Practice. He is, at 35, not only one of O'Melveny's top young talents but one of the country's top young bankruptcy attorneys. *Law360* recently named Andrew a 2013 "Rising Star"—one of just five bankruptcy attorneys under 40 nationwide to be recognized. Andrew's accomplishments both reflect and inform his commitment to LGBT equality: He has achieved success in important LGBT-related *pro bono* engagements and, in turn, used his position to promote greater LGBT understanding in the community at large. It has not always been so. Before joining O'Melveny in 2007, Andrew worked in an environment in which he did not feel comfortable being himself—he spent the first years of his legal career closeted, concealing his personal life and censoring his professional ideals. He knows firsthand the importance of LGBT respect and acceptance, not to mention legal protection, and with the encouragement of O'Melveny, Andrew now devotes himself to practicing law in a manner fully consistent with those values.

Andrew specializes in creative, multidisciplinary solutions to his clients' financial challenges and strategic priorities in the fluid, fast-evolving bankruptcy field. In recent years, he has carved out a practice of representing private equity sponsors in transactions and litigation matters resulting from distressed investments. **Specifically, Andrew has dedicated much of the past two years to representing Los Angeles-based private equity firm Colony Capital in restructuring and dispute resolution matters related to its casino portfolio companies. Colony entrusts Andrew with helping to restructure these complex and challenging investments, including Station Casinos, Atlantic City Hilton, and Resorts Atlantic City. Showing his depth of skill, Andrew also represents Colony in a high-stakes ERISA litigation with a multi-employer pension plan.** He can transition from dealmaker to litigator with ease, fully serving his clients' interests.

The success Andrew has achieved in recent years and the trust he has earned from his clients follow on the experience Andrew gained earlier in his career. Most notably, Andrew represented New Century Financial Corporation, once one of the largest U.S. providers of subprime mortgages, in what was the largest chapter 11 filing of the year and the ninth largest of all time. It was this experience that allowed Andrew to develop the skills and nuanced understanding of bankruptcy issues that make him the trusted advisor to his clients that he is today. He is also a thought leader in the bankruptcy community, regularly writing articles and giving presentations on restructuring issues. In 2011, Andrew co-authored *A Practitioner's Guide to Pre-Packaged Bankruptcy*, a primer on an increasingly important and utilized form of restructuring.

Within O'Melveny, Andrew is viewed as a future leader. He has cultivated relationships with new clients, attracting a high-profile real estate developer and an international manufacturer and distributor of retail products. Moreover, he is the hiring partner for the Firm's Los Angeles office (the largest of its 16 offices worldwide) and is regularly commended for his dedication to mentoring associates.

Andrew is also an emerging community leader. He recently led a team of O'Melveny attorneys in the pro bono chapter 11 filing of Verdugo Mental Health, a mental health clinic in Glendale, California. As a result of Andrew's efforts, Verdugo was able to keep its doors open and continue to serve its clients through a sale to Didi Hirsch Mental Health Services. For his work, Andrew received a formal commendation from the County of Los Angeles for outstanding commitment to pro bono legal service.

Andrew also serves as a co-chair of the Legal Council of the UCLA School of Law's Williams Institute, a think tank dedicated to sexual orientation law and public policy. Through his ties to the LGBT community, Andrew has initiated and led important *pro bono* engagements for O'Melveny:

- **In 2008, Andrew represented the Los Angeles Gay & Lesbian Center in its attempt to preserve critical foster care services for LGBT youth by taking over the operations of insolvent Gay and Lesbian Adolescent Social Services ("GLASS"). Though GLASS itself could not be saved, Andrew's work paved the way for the Center's landmark, federally funded model program for LGBT foster youth.**
- In 2009, Andrew spearheaded O'Melveny's lead role in a 50-state survey of LGBT-based employment discrimination for the Williams Institute. Over the course of a year, Andrew and a dozen attorneys working under his direction created a template for the other 10 law firms contributing to the project and completed comprehensive memoranda for each of 12 states for which O'Melveny took responsibility. This analysis formed the basis for the congressional testimony offered by Williams Institute Executive Director Brad Sears in support of the Employment Non-Discrimination Act.
- In 2012, the Williams Institute asked Andrew to lead another multi-state analysis, this time of the 18 states that continue to enforce anti-sodomy laws. Not only did Andrew and his team of O'Melveny lawyers conduct this analysis for four states, they again crafted research protocols and a memorandum template for other law firms participating in the project.

For his record of commitment, Andrew received a Warren Christopher Values Award, an honor bestowed on those who exemplify O'Melveny's legacy of excellence, leadership, and citizenship.



Andrew Parlen

Partner | aparden@omm.com

Resident Office(s)

Los Angeles:
400 South Hope
Street
Los Angeles, CA
90071

Telephone

+1-213-430-6262

Facsimile

+1-213-430-6407

Andrew Parlen is a partner in O'Melveny's Los Angeles office and a member of the Restructuring Practice. He specializes in creative, responsive, multidisciplinary solutions to his clients' financial challenges and strategic priorities. Whether representing a business fighting to remain solvent, an equity holder protecting its interests, a creditor pursuing its claims, or an acquirer buying distressed assets, Andrew understands that clients require flexible, individually tailored guidance to navigate the fluid, fast-evolving restructuring field. He has represented companies, investment funds, and lenders in high-profile chapter 11 proceedings. He has also helped clients through prepackaged bankruptcies and out-of-court restructurings, devising and implementing value-maximizing strategies that spare them the disruption, expense, and publicity that may accompany an in-court proceeding.

For his ability to craft complex and innovative solutions that win broad support even in the most contentious circumstances, *Law360* named Andrew a 2013 "Rising Star"—one of just five bankruptcy attorneys under 40 nationwide to be recognized. Within O'Melveny, he is the recipient of a Warren Christopher Values Award, an honor bestowed on those who exemplify the Firm's legacy of excellence, leadership, and citizenship. Andrew also plays a lead role on the Legal Council of UCLA's Williams Institute, a national think tank dedicated to independent research on LGBT law and policy.

The following matters illustrate the breadth of Andrew's experience:

Company Representations:

- Served as debtors' counsel to one of the nation's largest subprime mortgage lenders, helping it achieve a global settlement with all financial institution creditors and confirm a chapter 11 plan in a little more than a year.
- Played an integral role in implementing a distressed

homebuilder's out-of-court restructuring through an exchange offer, which allowed the company to avoid the bankruptcy that many viewed as inevitable.

- Navigated complex privacy laws and government funding regulations while guiding a community mental health clinic through chapter 11, a representation that resulted in the sale of the provider without disruption to critical client services.

Sponsor & Equity Holder Representations:

- Advised a real estate-focused private equity fund on the disposition of distressed gaming and hospitality properties, with focus on fund-level CMBS, guarantor, and fiduciary issues.
- Represented an equity committee consisting of investors in a real estate lending and loan servicing investment fund, recovering nearly 70% of constituents' fraudulently managed investments.

Creditor Representations:

- After prevailing in an adequate-protection dispute with junior lenders, achieved full recovery for first lien lender in the chapter 11 case of a large movie and game rental company.
- Guided the largest licensee of a national retailer of specialty consumer products through the retailer's chapter 11, successfully litigating license dispute and coming to terms with purchaser of the retailer's trademark.

Purchaser Representations:

- Advised a stalking horse in its winning bid for the assets of a leading human genetics biotech company.
- Formulated and negotiated a high-tech energy producer's successful "section 363" bid for the assets of a window and door manufacturer.
- In a prearranged bankruptcy of a producer of clean-

burning diesel fuel, represented stalking horse bidder in providing DIP financing and purchasing debtor's assets.

Litigation Matters:

- Won the dismissal, with prejudice, of fraudulent transfer and preference claims against an independent film production studio.
- Prevailed in bankruptcy court, district court, and court of appeals on behalf of debtors seeking approval of distress termination of their defined benefit pension plans.

Education

Harvard Law School, J.D.: *cum laude*

University of California at Berkeley, A.B., English: highest distinction; Phi Beta Kappa

Professional Activities

Law Clerk, Honorable Stephen V. Wilson, US District Court, Central District of California

Admitted, California

Admitted to Practice, U.S. District Court, Central, Northern, and Eastern Districts of California; U.S. Court of Appeals, Eighth Circuit

Member, Financial Lawyers Conference, Insolvency Law Committee, Business Law Section, State Bar of California (2009-2011); American Bankruptcy Institute; Legal Council of The Williams Institute at UCLA Law School

Author, "Distressed Healthcare: Significant Considerations for Buyers, Sellers, Lenders, and Borrowers," American Health Lawyers Association Annual Conference 2009, Washington, D.C.

Co-Author, "Will SLVs Hold Water in Shipping Bankruptcies?" Law360, May 2012 (co-authored with Suzanne Uhland);

Practitioner's Guide to Pre-packaged Bankruptcy: A Primer, 2011 (co-authored with Steven Krause and others)



the
Williams
INSTITUTE

R. Bradley Sears
Roberta A. Conroy Scholar of Law and Policy
Assistant Dean and Executive Director
The Williams Institute
UCLA School of Law

The National LGBT Bar Association
1301 K Street NW
Suite 1100, East Tower
Washington, DC 20005

May 31, 2013

To Whom It May Concern,

I write in strong support of Andrew Parlen's nomination for the National LGBT Bar Association's Best LGBT Lawyers Under 40 list. Andrew is Co-Chair of the Williams Institute Legal Council and has been an advocate, volunteer, donor, and friend to the Institute for five years. Every non-profit manager hopes to have a few good board or advisory council members who can really deliver. Against that measure, Andrew has stepped up in every way.

As Chair of the Williams Institute Legal Council Andrew manages a group of 18 attorneys, primarily partners at large law firms, who are charged with providing pro bono and financial support for the Institute and recruiting judges for our annual moot court competition on sexual orientation and gender identity law. Andrew was the youngest attorney ever to join the Legal Council, and he has been an exemplary member and leader. I have listed a few of his accomplishments below:

- **Research** – In 2009, the Williams Institute conducted a 50-state survey of discrimination against LGBT employees in the public sector to inform the proposed federal Employment Non-discrimination Act (ENDA). Andrew recruited attorneys from O'Melveny & Myers to take on this research for 10 states. Without exaggeration, the research he led was the best of all the pro bono support we received for this project; it consequently became the model for the other nine firms assisting with our research. This was also research that had a very tangible impact. While ENDA is not yet law, the Institute's research was cited by the Department of Justice in its decision to not defend the Defense of Marriage Act (DOMA) in federal litigation. The research has also been relied on to pass anti-discrimination law at the state level. Andrew, and the research he led, was instrumental in these advances. Since 2009, Andrew has continued to take on other pro bono projects. Last year, for example, he lead research on continued enforcement of sodomy laws still on the books even after the *Lawrence v. Texas* decision rendered them unconstitutional.

The Williams Institute: *Advancing critical thought in the field of sexual orientation
and gender identity law and public policy.*

UCLA School of Law Box 951476 Los Angeles, CA 90095-1476 T (310)794-5279 F (310)825-7270 sears@law.ucla.edu

- **Leadership** – Andrew has become a visible leader for LGBT attorneys at his firm, at the Williams Institute, and in his community. We worked with Andrew a few years ago to present on LGBT law and policy issues during a O'Melveny & Myers human resources retreat for all staff. It was clearly a very big deal for the firm to focus on this issue, and we spent a great deal of time working with Andrew to present the issues fairly and for a broad audience. To my knowledge, Andrew is one of only two or three out partners in the firms' LA offices. Even today and in Los Angeles, I don't think we can overstate how important it is to be out at work. Andrew is not only out, but is raising awareness at his firm. He is also the recruiting partner, and we coordinate annually to identify strong LGBT or LGBT-allied law students to work at O'Melveny.

Additionally, Andrew is a strong leader at the Institute. He is entering his second year as Co-Chair of the Williams Institute Legal Council. In that role, he is helping to grow the membership and coordinate the Council's fundraising and volunteer efforts. Notably, the Moot Court competition requires recruitment of over 70 judges, and Andrew has been great at leveraging the Council for this outreach. He also has ensured his firm's annual sponsorship, encouraged attorneys to support the Institute internally at their firms, and helped identify new donors and advocates for our organization.

- **Education** – The Williams Institute regularly promotes its new research reports through educational panels for lawyers, advocates and the public. Because we have limited resources for this programming, we rely heavily on volunteers to assist with events. Andrew has stepped up in this regard. Last year, he hosted at his downtown office a well-attended lunchtime talk on *Lawrence v. Texas*. His office managed all the logistics and covered the costs. It was so successful that we used his event as a model for future such events by other firms on the Institute's Legal Council.

Beyond his accomplishments related to LGBT issues, Andrew is a great person for our legal community to hold up as a leader and role model. He is bright and clearly a rising star at one of the nation's leading firms, and he is a committed and loyal advocate on behalf of LGBT attorneys and the LGBT community. Most importantly, I know he shows every day for those that follow him what excellence and integrity looks like. Consequently, I would be thrilled to see him recognized by the National LGBT Bar Association.

Sincerely,



Brad Sears

Roberta A. Conroy Scholar of Law and Policy

Assistant Dean of Academic Programs and Centers, UCLA School of Law

Executive Director, The Williams Institute

quinn emanuel trial lawyers | los angeles

865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543 | TEL (213) 443-3000 FAX (213) 443-3100

WRITER'S DIRECT DIAL NO.
(213) 443-3602

WRITER'S INTERNET ADDRESS
ericwinston@quinnemanuel.com

June 3, 2013

The National LGBT Bar Association
1301 K Street NW, Suite 1100 East Tower
Washington, DC 20005

To Whom It May Concern:

I have had the pleasure of knowing Andrew as a colleague and a friend for over ten years. There is no doubt that he is among the finest young restructuring lawyers in the United States. A gifted legal writer, Andrew is unafraid to stake out creative legal positions and seamlessly takes ownership of difficult legal and business issues confronting companies in financial distress. But perhaps more importantly in the corporate restructuring field, Andrew has developed a strong reputation for consensus building and consensual resolution.

I know Andrew takes great pride in the work he undertakes furthering LGBT interests. I am honored to offer support for his nomination for the National LGBT Bar Association's 2013 Top LGBT Lawyers Under 40 Award.

Very truly yours,



Eric Winston

EW

quinn emanuel urquhart & sullivan, llp

NEW YORK | SAN FRANCISCO | SILICON VALLEY | CHICAGO | WASHINGTON, DC | LONDON | TOKYO | MANNHEIM | MOSCOW | HAMBURG | PARIS