

## Mark F. Bell



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### Member

#### EXPERIENCE

Mark Bell has practiced law in Colorado in the banking, lending and financing industries since 1991. He offers extensive experience representing banks and other financial institutions, with an emphasis on bankruptcy, as well as financial restructuring outside of bankruptcy. His comprehensive lending representation includes bankruptcy and lender-liability litigation, workout and loan structuring, regulatory and compliance matters, inter-creditor relationships and agreements, loan sales, enforcement litigation, UCC and other security interest analysis and bank-operations matters. In addition, Mark regularly lectures on legal topics related to these specialties for clients, industry organizations and other attorneys.

A graduate of the University of Denver Sturm College of Law, he is well respected by his colleagues and has established a strong industry reputation for understanding complex client challenges and proposing practical, creative and cost-effective solutions.

Mark is married with two wonderful daughters. He enjoys cooking, art and live music. Mark is also an avid, although mediocre, fly fisherman. He serves on the board of directors for Art from Ashes, a Colorado non-profit empowering struggling youth through poetry and other creative arts.

#### Practice Areas

Banking Law  
Bankruptcy  
Lending Law  
Loan Restructuring/Workouts  
Commercial Litigation

#### Bar Admissions

Colorado, 1991 (State and Federal court)  
United States Court of Appeals, Tenth Circuit

#### EDUCATION

J.D., University of Denver Sturm College of Law, 1991  
- Recipient American Jurisprudence Awards, including Bankruptcy and Creditor-Debtor Relations  
B.A., University of Texas at Austin, 1988

#### AFFILIATIONS

American Bankruptcy Institute  
Colorado Capital Bank, Advisory Board  
Colorado Bar Association (Member, Bankruptcy and Real Estate Subsections)  
Denver Bar Association

## **NOTED WORK**

- Representing Carl Zeiss Meditec AG, a German corporation, in the leading case within the Tenth Circuit defining non-statutory insider status in a preference action. Mark represented this client in the United States Bankruptcy Court for the District of Colorado through the Tenth Circuit Court of Appeals. *Anstine V. Carl Zeiss Meditec AC (In re U.S. Medical, Inc.)* 531 F.3d 1272 (10th Cir. 2008).
  
- Successful representation of numerous creditors in obtaining nondischargeable judgments against debtors in adversarial proceedings.
  
- Counseling banks and private lenders through multi-million dollar workouts/restructurings and distressed financial situations including restructurings in the resort and hospitality industries.
  
- Obtaining relief from the automatic stay in many core proceedings, and under difficult creditor circumstances.
  
- Creating complex commercial loan documents for various private and institutional financial lenders.
  
- Representing secured creditors, lessors and debtor-in-possession lenders in Chapter 11 bankruptcy proceedings.
  
- Serving in an advisory role for a bank board.
  
- Counseling on creditors' rights, including proactive avoidance and defense of lender liability claims.
  
- Serving as faculty for various continuing legal education seminars, including the areas of commercial lending, creditor bankruptcy rights and ethics.