
Keith Patrick Banner

Partner

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Keith Patrick Banner focuses his practice on business insolvency and distressed transactions with relevant experience in a variety of industries, including retail, entertainment, technology and real estate.

Providing a calm and understanding approach to what often amounts to a rather tumultuous time for a business, Keith helps guide companies through a myriad of insolvency solutions that are appropriate for the particular circumstance, including out-of-court transactions, such as the refinance of complex loan facilities or an assignment for the benefit of creditors (“ABC”); or through the bankruptcy court in a chapter 11 reorganization or chapter 7 liquidation.

In addition to representing distressed businesses, Keith also represents bankruptcy trustees in chapter 11 and chapter 7 cases, navigating through complex investigations, asset sales, contentious litigation and the variety of other aspects of such bankruptcies. Keith is further skilled in bankruptcy-related litigation, including fraudulent transfer and preference recovery actions.

Beyond his bankruptcy practice, Keith also has significant experience in a variety of corporate transactions, including mergers and acquisitions and private equity investments.

Prior to joining the firm, Keith served as the judicial law clerk to the Honorable Peter H. Carroll, U.S. Bankruptcy Judge for the Central District of California. Prior to clerking, Keith practiced at an AM Law 100 firm and a boutique insolvency firm, both located in Los Angeles. This diversity of experience provides Keith with a broad perspective and the tools for a company’s successful rehabilitation.

Clerkship

Services

- Bankruptcy, Reorganization & Capital Recovery
- Restructuring & Loan Workout
- Corporate Structuring & Operations
- Mergers & Acquisitions
- Retail & Hospitality

- Honorable U.S. Bankruptcy Judge Peter H. Carroll for the Central District of California

Professional Affiliations

- Board Member, Los Angeles Bankruptcy Forum (LABF)
- Member, Financial Lawyers Conference (FLC)
- Member, American Bankruptcy Institute (ABI)

Awards

- *Chambers USA*, Leading Lawyer in Bankruptcy/Restructuring, 2022–2026
- *LA Times Studios*, Banking & Finance Visionaries, 2026
- *Legal 500*, US Elite Los Angeles - Banking & Finance, 2026
- *The Best Lawyers in America*®, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2024–2026
- *Los Angeles Times*, Banking and Finance Visionaries, 2023

Bar Admissions

- California

Court Admissions

- Central District of California
- Eastern District of California
- Northern District of California

Education

- Northwestern University School of Law (J.D., *cum laude*, 2008)
- University of California, Los Angeles (B.A., *summa cum laude*, 2005)
 - Political Science

Representative Matters

Litigation

- Defending landlord in a complex fraudulent transfer case by the liquidating trustee of Art & Architecture, a Chapter 11 debtor. The case involves several companies and several defendants, and also involves an unusual aspect of fraudulent transfer law as to whether a third-party recipient of funds may raise certain defenses.
- Represented client in a complex commercial case involving failed oil and gas investments in three countries (Canada, United States & Spain). Assisted client with wind down of its operations and in asserting claims in connection therewith.
- Represented client in a multi-defendant fraudulent transfer lawsuit arising out of the bankruptcy of the debtor company. The plaintiff sued our client, a mezzanine lender, and several other parties, for fraudulent transfer in connection with a previous leveraged buyout (LBO).
- Represented oversees company in successful defense of preference lawsuit in

Chapter 7 case of American Solar Direct.

Bankruptcy & Insolvency

- Representing Jason Rund, the Chapter 7 Trustee of the bankruptcy estate of non-profit Youth Policy Institute, Inc.
- Represented men's clothing retail company Bachrach in "Chapter 22" (two separate Chapter 11 cases), one in which the company re-organized and the other through which the company liquidated.
- Represented retail furniture operator in Southern California in out-of-court liquidation, after which we guided the client through a Chapter 7 bankruptcy.
- Assisted an architectural group in enforcing rights under executory contracts in the Verity Health System bankruptcy, one of the largest hospital bankruptcy filings in California.
- Represented overseas television distribution company in enforcing its contractual rights in Penthouse Global Media Chapter 11 case.
- Assisted client in enforcing right to priority payment under Section 503(b)(9) of the Bankruptcy Code in the Gymboree Chapter 11 case.
- Represented Frame LA Brands, LLC and Good American, LLC in connection with their contested termination of third-party logistics agreements in the Chapter 11 case of West Coast Distribution.
- Represented fashion brand in connection with negotiating critical vendor and supply agreement in Neiman Marcus Chapter 11 case.

Corporate Transactional

- Assisted client in workout of multiple real estate projects, including hotels, land developments, and commercial properties. Also evaluated and assisted in workout of funds raised by client to purchase real estate projects.
- Represented a vegetarian restaurant group in its acquisition by a private equity firm.
- Represented international musical equipment manufacturer in its acquisition of popular guitar amp manufacturer.
- Represented Ramona's Restaurant Group in general corporate/franchise reorganization.

Publications

November 26, 2024

Providing a Fresh Start: Guiding a Client in Financial Hardship to Debt Relief

May 5, 2023

Bankruptcy Round-Up: In The News

October 18, 2022

Cannabis and Bankruptcy Laws

July 11, 2022

Bankruptcy & Restructuring Roundtable Highlights

December 3, 2021

The Dead (and Their Bankruptcy Estate) Cannot Hold Property Under Recent Ninth Circuit Bankruptcy Appellate Panel Decision

July 26, 2021

Bankruptcy & Restructuring - A Roundtable Discussion

April 20, 2021

Private Retirement Plans as an Asset Protection Tool

March 17, 2020

9 Things for Businesses to Consider During a COVID-19 Cash Crunch

September 17, 2018

A Sweet Victory: New Value Defense Bolstered by Court's Protection of Ice Cream Vendor

August 29, 2017

Beware of the ABL Trap: The Challenges of Retail Chapter 11 Debtors and Asset Based Lending

March 15, 2017

A Hypothetical Question Deserves a Hypothetical Answer: The Ninth Circuit's Approach to Preference Transfers in In re Tenderloin Health

December 21, 2016

December 1, 2016 Revisions to the FRBPs: Taking the Bite Out of the Core-Noncore Distinction