



Roger Frankel

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Education

- B.A., Brandeis University
- J.D., *with honors*, George Washington University Law School

Honors

- Recognized in: *Best Lawyers in America (Woodward White - all editions)*
- Recognized in: *Chambers USA - America's Leading Business Lawyers*
- Recognized in *Chambers Global - The Worlds Leading Lawyers for Business*
- Recognized in *IFLR1000: Leading Lawyer, United States Restructuring & Insolvency*
- Recognized in: Washington, D.C. *Super Lawyers - Business/Corporate*

Featured Articles

- [*Conquering the Chaos of Uncertainty*](#)

Roger Frankel, Founding Partner of Frankel Wyron LLP, has practiced in the areas of business reorganization and creditors rights since 1972, with an emphasis on bringing business and common sense to complex legal situations. Mr. Frankel has been appointed as a fiduciary in a multitude of mass tort cases and also counsels companies, trusts and families in connection with multi-faceted counter party disputes, often involving financial distress.

Mr. Frankel was appointed by the United States Bankruptcy Court as the Legal Representative for holders of future personal injury asbestos claims in the Chapter 11 case of W.R. Grace and now holds that same position with the W.R. Grace Personal Injury Trust. He was also appointed as the Legal Representative for the Combustion Engineering 524(g) Trust.

On August 30, 2017, Mr. Frankel was appointed by the Federal Bankruptcy Court in Delaware as the Legal Representative for those individuals who will hold claims for personal injury in the future against the various Takata companies in connection with their manufacture of defective airbags. Effective in April 2018, the Bankruptcy Court appointed Mr. Frankel to serve as the Future Claimants Representative to the Takata Airbag Tort Claimants Compensation Fund, which is the trust fund created under the plan of reorganization for the Takata entities to compensate claimants who suffer personal injuries caused by defective Takata airbag inflators.

In February of 2020, Mr. Frankel was engaged by Mallinckrodt LLC to serve as the pre-petition Future Claims Representative in an expected Chapter 11 filing by the Company. In that role, Mr. Frankel and his advisors performed due diligence regarding issues related to estimating future personal injury opioid claims against Mallinckrodt. On October 12, 2020, Mallinckrodt PLC and its subsidiaries filed for Chapter 11 protection in the Federal Bankruptcy Court in Delaware.

On June 11, 2021, the Bankruptcy Court entered an Order Appointing Mr. Frankel to serve as the Legal Representative for future opioid personal injury claimants, effective as of the Petition Date. Mallinckrodt emerged from Chapter 11 in June, 2022. Mr. Frankel now serves as the future claims representative for the Mallinckrodt Opioid Personal Injury Trust.

On June 10, 2021, the Bankruptcy Court for the District of Delaware appointed Mr. Frankel to serve as the Legal Representative for future personal injury claimants after a contested hearing in the Bankruptcy Case of Cyprus Mines Corporation. Cyprus Mines filed for Chapter 11 protection on February 11, 2021 as a result of being named as a defendant in a multitude of talc-related personal injury lawsuits.

In July of 2022, Mr. Frankel was engaged by Endo International PLC, a global specialty pharmaceutical company to serve as the pre-petition Future Claims Representative in an expected Chapter 11 filing by the Company. On August 16, 2022, Endo and various affiliates filed for Chapter 11 protection in the Southern District of New York. Immediately thereafter, the Company filed a Motion to appoint Mr. Frankel as the Future Claims Representative, and on September 30, the Court entered an Order appointing Mr. Frankel to that position. Pursuant to the appointment Order, Mr. Frankel represents the interests of future, personal injury opioid claims, as well as future transvaginal-mesh claims.

Mr. Frankel served as a member of the Board of Directors of Pittsburgh Corning Corporation and Pittsburgh Corning Europe, from March, 2016 until the sale of the companies to Owens Corning in June, 2017. As an integral part of his restructuring practice, Mr. Frankel has counseled clients, including wealthy families, in connection with governance policies.

Mr. Frankel has extensive experience representing various parties in connection with Chapter 11 cases and out-of-court restructurings including clients in the gaming, real estate, manufacturing, distribution, energy, telecommunications, pharmaceutical and service industries. He has counseled clients regarding various aspects of mass-tort liabilities.

Mr. Frankel is an avid golfer and past president of Woodmont Country Club (MD) and a member of Liberty National Golf Club (NJ), and High Ridge Country Club (FL).

A sample of his notable engagements include:

General Motors National Dealers Council. Mr. Frankel represented the General Motors National Dealers Council in connection with the restructuring and bankruptcy of General Motors Corporation. The council represents approximately 6,000 GM dealers in the U.S. Mr. Frankel also worked closely with the National Automobile Dealers Association on this engagement.

Buffalo Thunder Resort and Casino. Mr. Frankel represented this New Mexico Native American Gaming Casino in a complex out of court restructuring.

Combustion Engineering. Mr. Frankel represented the court-appointed Legal Representative for future claim holders in connection with the negotiation and successful confirmation of Combustion Engineering, Inc. plan of reorganization, which resulted in the establishment of a trust with more than US \$1 billion in assets for the benefit of present and future asbestos claimants. Mr. Frankel now acts as the Legal Representative in connection with the Trust as it processes and pays asbestos personal injury asbestos claims.

Mallinckrodt PLC. Mr. Frankel was engaged by this multi-national pharmaceutical company pre-petition to serve as the Legal Representative for personal injury claimants that may assert opioid personal injury claims against the Company in the future. The Company filed for Chapter 11 protection in October of 2020, and Mr. Frankel was appointed as the Future Claims Representative on a permanent basis in June, 2021. Mallinckrodt's Chapter 11 Plan of Reorganization was confirmed by the U.S. Bankruptcy Court in March of 2022, and the Company successfully emerged from bankruptcy protection in June, 2022. Mr. Frankel now serves as the Future Claims Representative for the Opioid Personal Injury Trust created upon Mallinckrodt's emergence from Chapter 11.

Shook & Fletcher Asbestos Trust. Mr. Frankel is the Trustee of this asbestos Trust formed in 2002 after the confirmation of the plan of reorganization of Shook & Fletcher Insulation Co. in Birmingham, Alabama. He succeeds Mr. Harry Huge who was the original Trustee of the Trust.

Pepco/Mirant. Mr. Frankel represented Potomac Electric Power Company (Pepco) in complex, cutting-edge litigation concerning the ability of Mirant Corporation, a debtor power generator, to reject electric power contracts. The defense of Pepco resulted in a new law in the U.S. Court of Appeals for the Fifth Circuit that requires courts to consider the public interest before approving the rejection of a power contract.

W.R. Grace. Mr. Frankel acted as the court-appointed Legal Representative for the holders of future claims in the confirmed Chapter 11 case of W.R. Grace & Co., et. al., a worldwide chemical company. Mr. Frankel was one of the lead negotiators that resulted in the Plan being jointly filed by the Debtors, the Asbestos Creditors Committee, the Legal Representative and the Equity Committee. The plan of reorganization became effective on February 3, 2014. On the Effective Date the Trust had in excess of \$3 billion in assets to pay present and future personal injury asbestos claims.

Admitted in

- District of Columbia
- Maryland (inactive status)

Court Admissions

United States Courts of Appeals

- Third Circuit

United States District Court

- District of Columbia