

J. THOMAS BECKETT

Shareholder

BIOGRAPHY

Tom Beckett is a shareholder of Parsons Behle & Latimer. He works in the firm's litigation practice group and practices primarily in commercial litigation. Mr. Beckett is head of the firm's bankruptcy practice group, and he has been trained as a mediator at the Harvard Law School's Program on Negotiation.

For several years following the Great Recession, Mr. Beckett represented creditors' committees in the bankruptcies of numerous high-end luxury resorts in Utah, Nevada and Montana. Notably, in the Yellowstone Mountain Club bankruptcy matter, as counsel to the Creditors Committee, he obtained the equitable subordination of a \$370 million secured loan to enable unsecured creditors to be paid first.

Over the length of his career, Mr. Beckett has represented a diverse group of clients in Chapter 11 bankruptcies: debtors, committees, committee members and committee chairs; trustees and receivers; secured and unsecured creditors; bondholders, equity holders and royalty holders; asset acquirers, equipment lessors, Ponzi scheme victims, employees and independent contractors.

He has represented clients in all manner of bankruptcy and creditor rights issues including commercial litigation in state and federal courts, out-of-court workouts, equitable subordination, lift stay, plan confirmation, secured and unsecured financing, exculpation clauses, force majeure clauses, case conversion, allegations of bad faith and alter-ego and non-dischargability.

Prior to joining Parsons Behle & Latimer, Mr. Beckett was an associate in the financial workout department of Milbank, Tweed, Hadley & McCloy in New York City. He remains an active member of the New York State Bar Association.

Mr. Beckett's work experience includes one year on the staff of the U.S. Senate Judiciary Subcommittee on Constitutional Rights. He recently completed three terms as chairman of the Board of Directors of Clark Planetarium. He currently serves on the Utah Supreme Court's Ethics and Discipline Committee and has maintained a whitewater river guide's license and wilderness first responder certification for more than 30 years.



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PRACTICE AREAS

Litigation, Trials & Appeals
Chapter 11 Bankruptcy
Creditor Committees
Corporate Restructuring

LICENSED/ADMITTED

Utah
New York

ACCOMPLISHMENTS

Academic

Harvard Law School's Program on Negotiation, October, 2019

"Mediating Disputes," 40+ hours of mediator training

New York University School of Law (J.D., 1986)

New York University Stern School of Business Administration (M.B.A., 1986)

Finance Major, Lewis L. Glucksman Scholar

Brown University (B.A., 1979)

Thomas J. Watson Fellowship

Professional

Listed in *Best Lawyers in America*

Named *Best Lawyers in America* 2021 "Lawyer of the Year" for Litigation - Bankruptcy, Salt Lake City

Martindale-Hubbell AV® Preeminent™ rating

Mountain States SuperLawyers, Business Litigation and Creditor Debtor Rights

ASSOCIATIONS

Professional

Past member, American Bankruptcy Institute, Rocky Mountain Advisory Board

Community

Board member and Board chair, Clark Planetarium

Member, Utah State Bar Ethics and Discipline Committee, appointed by the Utah Supreme Court

PRESENTATIONS

"U.S. Bankruptcy Trends," co-presented with Hon. Kevin R. Anderson, American Bankruptcy Institute, Central States Annual Meeting (June 17, 2021)

"The COVID-19 Crisis: How Deep, How Long, and Its Impact on Bankruptcy Filings," co-presented with Hon. Kevin R. Anderson, American Bankruptcy Institute, Rocky Mountain Annual Meeting (January 28, 2021)

"There's a Recession and a Pandemic. So Where are all the Bankruptcies?" TerraLex Annual Global General Conference (November, 11 2020)

Co-Presenter: "Sustaining Global Supply Chains in a Bankruptcy Tsunami," WTC Utah (September 3, 2020)

Co-Presenter: "What Every Employer Should Know Before Resuming Business in Utah," Visit Salt Lake (May 12, 2020)

"Force Majeure Clauses in the Wake of COVID-19," World Trade Center Utah Webinar (March 20, 2020)

"Hot Topics and Recent Developments," ABI Rocky Mountain Conference, Denver, CO (January 18, 2014)

Co-Author: "Ethics Issues in Representing Committees," ABI Rocky Mountain Conference, Denver, CO (January 27, 2012)

"Civility in an Unruly Practice," ABI Rocky Mountain Conference, Denver, CO - Judges' Panel (January 27, 2012)

"2010 Real Estate Issues," ABI National Conference, Washington D.C. (March 31, 2011)

"Evidence Issues in Bankruptcy Cases," ABI Rocky Mountain Conference, Denver, CO (January 27, 2011)

"Challenging the Secured Lender," ABI's Leadership Conference, Scottsdale, AZ (December 09, 2010)

"Hot Topics and Recent Developments," American Bankruptcy Institute's Rocky Mountain Bankruptcy Conference (January 20-21, 2010)

"The Yellowstone Story," Urban Land Institute, Charleston, SC Capital Confessions (September 15, 2009)

"Bankruptcy Settlements," American Bankruptcy Institute's Rocky Mountain Bankruptcy Conference (February 14-15, 2008)

"Business Valuation in Bankruptcy: Tools & Techniques," Association of Insolvency & Restructuring Advisors (February 21-24, 2004)

PUBLICATIONS

There's a Pandemic and a Recession. So Where Are the Bankruptcies? Parsons Behle & Latimer COVID-19 Response Resources (September 9, 2020)

Co-author: "Expanded Access to Streamlined Bankruptcy Relief for Small Businesses," Parsons Behle & Latimer COVID-19 Response Resources (March 27, 2020)

"The Absolute Priority Rule -- Not So Absolute," *ABI Journal* (December 22, 2009)

"A Rogue Loan, Not a Rogue Decision: A Response to a Recent Analysis of Yellowstone," *ABI Journal* (November 22, 2009)

"Director's Duties in the Zone of Insolvency," *National Association of Corporate Directors*, Utah Chapter (February 20, 2008)