

David W. Smith

Partner

 New York, NY

 dsmith@pryorcashman.com

 212.326.0481



David Smith is a member of Pryor Cashman's Corporate Group and Corporate Trust practices.

David's practice focuses on the representation of banks, trust companies, and other financial institutions acting as trustees or in various agency capacities across a wide array of domestic and international financing transactions. He has extensive experience with public and private debt financings, project finance, and structured finance. His structured finance experience includes the securitization of student loans, credit cards, auto leases, pharmaceutical royalty payments, aircraft leases, and residential and commercial mortgages. He also has experience representing trustees in connection with ongoing negotiations with committees of investors in connection with various post-default scenarios, including liquidations, auctions, and workouts.

Matter Highlights

David's representations include:

- An indenture trustee and DIP agent in connection with Wesco Aircraft Holdings, Inc.
- The indenture trustee in connection with Akumin Inc.
- The DIP agent in connection with TPC Group Inc.
- The DIP agent for Sungard AS Holdings, LLC.
- An indenture trustee and collateral agent in connection with Mallinckrodt plc.
- An indenture trustee and the DIP agent for Avianca Holdings S.A.
- An indenture trustee in connection with Diebold Holding Company, LLC.
- An indenture trustee in connection with Venator Materials PLC.
- An indenture and DIP agent in connection with Valaris plc.
- An indenture trustee and a collateral agent in connection with the restructuring of \$1.48 billion of debt held by a Brazilian oil services conglomerate.
- An indenture trustee in connection with the issuance of S/1.64 billion of the 6.875% Senior Notes due 2027 by a Peruvian producer, distributor, and marketer of branded consumer products.
- An indenture trustee and collateral agent in connection with the exchange of \$707 million of unsecured notes issued by a specialty pharmaceutical company.
- An administrative agent and collateral agent in connection with a \$170 million Term Loan Facility for a Netherlands-based financial holding company.
- An administrative agent and collateral agent in connection with a \$25 million Term Loan Facility for a Mexico-based information technology company.
- An indenture trustee in connection with the liquidation of a \$1.8 billion student loan trust holding a portfolio of FFELP student loans.

- An indenture trustee in connection with the liquidation of a defaulted CDO at the direction of a controlling class of noteholders.
- A bond trustee in connection with the restructuring of project bonds related to a Venezuelan oil project.
- An exchange agent in connection with the restructuring of Argentine debt.
- A financial institution acting as both trustee and collateral agent in connection with the novel, multibillion-dollar restructuring of a global investment bank.
- A financial institution acting as indenture trustee in connection with the placement of a credit card servicer into receivership with the FDIC.

Before joining Pryor Cashman, David spent two years in the corporate trust legal department at The Bank of New York Mellon in New York and London.

Services

- Corporate
- Corporate Trust
- Financial Institutions

Education

- University of Wisconsin Law School (J.D., 2002)
- University of Wisconsin-Milwaukee (B.A., *summa cum laude*, 1999)

Admissions

- New York