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## AREAS OF PRACTICE

- Creditors' Rights, Bankruptcy and Insolvency
- Financial Services

## RECENT BLOG POSTS

- Claims Deadline Set in Southern Title Receivership
- Pursuing and Defending Awards of Attorneys' Fees

## Jennifer J. West

### ATTORNEY, SHAREHOLDER

Jen West serves on Spotts Fain's executive committee and is president of the firm. She focuses her practice on creditors' rights, commercial litigation, insolvency, workouts and foreclosure. She primarily represents banks and other lending institutions, with a particular focus on community banks.

In 2019, Jen was appointed to the Panel of Chapter 7 Trustees for the Eastern District of Virginia, Richmond Division. In this role, she is responsible for the administration of Chapter 7 cases to which she is assigned.

Jen also dedicates a significant portion of her practice to bankruptcy, representing creditors in Chapter 11, Chapter 7, Chapter 12, and Chapter 13 proceedings. She primarily handles matters involving commercial debtors, but also represents creditors in consumer matters. She has experience representing Chapter 7 Trustees in fraudulent conveyance actions, avoidance actions, and liquidation of various types of real and personal property.

### EDUCATION

- The College of William and Mary, Marshall-Wythe School of Law (J.D., 2001) Law Review: *Environmental Law & Policy Review*, Articles Editor and Business Editor, 2000 - 2001 Law Journal: *William and Mary Bill of Rights Journal*, Member
- Virginia Polytechnic Institute, Blacksburg, VA (B.A., Political Science and Sociology, *cum laude*, 1996)

### BAR ASSOCIATION

- Virginia
- U.S. District Court Eastern District of Virginia
- U.S. District Court Western District of Virginia
- U.S. Bankruptcy Court Western District of Virginia
- U.S. Bankruptcy Court Eastern District of Virginia
- U.S. Court of Appeals 4th Circuit

### REPRESENTATIVE EXPERIENCE

- Represented community bank in workout of multi-million dollar commercial development loan, including sale of a portion of the loan portfolio and restructuring and refinance of remaining debt relationship

- Represented large national telecommunications company in the defense of alleged automatic stay and other consumer protection violations in a chapter 7 bankruptcy proceeding
- Represented Fortune 50 company in acquisition of intellectual property assets from a Chapter 11 Debtor
- Represented a Chapter 7 bankruptcy trustee in recovery of fraudulently transferred life insurance policies and prosecution of related claims
- Represented agricultural lender in motion to convert Chapter 12 bankruptcy to Chapter 7 proceeding on the basis of fraudulent activity of the debtor, and liquidation of assets and recovery of amounts owed in close cooperation with Chapter 7 trustee
- Represented Fortune 500 company in defense of significant preference claim in large Chapter 11 retail bankruptcy

## REPRESENTATIVE CASES

- *Compass Chem. Int'l, LLC v. Failon*, 2016 Bankr. LEXIS 976 (U.S. Bankr. E.D. Va. 2016)
- *Iles v. North Carolina Agricultural Finance Authority*, 249 Fed. Appx. 304; 2007 U.S. App. LEXIS 22837 (Fourth Circuit Court of Appeals 2007)
- *Parker v. North Carolina Agricultural Finance Authority* (U.S. Dist. E.D. Va. 2006)
- *Phillips v. Rinehart (In re Rinehart)*, 352 B.R. 427; 2005 Bankr. LEXIS 3028 (U.S. Bankr. E.D. Va. 2005)
- *Richards v. Rapid Funding, LLC (In re Richards)*, 336 B.R. 722; 2004 Bankr. LEXIS 2418 (U.S. Bankr. E.D. Va. 2004)
- *Wells Fargo v. Kroeger* (U.S. Dist. E.D. Va. 2003)
- *Kepley Brosious, PLC v. Ahearn (In re Ahearn)*, 318 B.R. 638; 2003 Bankr. LEXIS 2103 (U.S. Bankr. E.D. Va. 2003)

## PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- Virginia Law Foundation, Fellow (Class of 2023)
- Richmond Bar Association
  - Board of Directors, 2012-2016, 2018-present
    - Secretary/Treasurer 2022-2023
    - Vice President 2023-2024
  - Membership Committee, 2006-2009; Chair 2008-2009
  - Administration of Justice Committee, 2009-2012; Chair 2011-2012
  - Bankruptcy Section Executive Board Member, 2009-2016; Chair 2015-2016
  - Bankruptcy Section Member, 2001-Present; Long Range Planning Committee Chair, 2019-2021
  - Finance Committee Chair, 2022-2023
  - Sponsors Committee, 2022-present
- Virginia Creditors Bar Association
- National Association of Bankruptcy Trustees 2019-Present, DE&I Committee Member 2021-Present

- Virginia State Bar, BAnkrupcty Section Board of Governors, 2022-present
- American Bankruptcy Institute
- Virginia Bar Association

## HONORS AND AWARDS

- Virginia Law Foundation, Fellow (Class of 2023)
- Influential Women of Law Honoree, *Virginia Lawyers Weekly*, 2022
- *Virginia Business* magazine's "Legal Elite" 2015, 2018-2023 for Bankruptcy/Creditors' Rights
- *Best Lawyers* in America, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law 2022-2024
- Rated AV Preeminent by Martindale-Hubbell

## PRO BONO ACTIVITIES

- Director of Firm Pro Bono and Community Outreach Activities
- Central Virginia Legal Aid Society, Pro Bono Hotline Project
- Greater Richmond Bar Foundation Pro Bono Triage Project, Bankruptcy Practice Champion, 2017-2019

## COMMUNITY INVOLVEMENT

- VSB Disciplinary Committee Member, 2012-2015
- VSB Committee on Lawyer Discipline 2021-Present
  - Chair Oversight Committee, 2022-Present
- Former Virginia Tech Athletic Fund Board of Directors; Member, Privileges and Benefits Committee

## PUBLICATIONS

- Claims Deadline Set in Southern Title Receivership
- Pursuing and Defending Awards of Attorneys' Fees

## SEMINARS TAUGHT

- "Bankruptcy: Now What?" Virginia Trial Lawyers Association 2021 Tort Law Seminar, May 11, 2021 at The Westin Richmond and online.
- Best Practices in Consumer & Commercial Bankruptcy, Richmond Bar Association Bankruptcy Section Virtual CLE Seminar, October 20, 2020. Jen spoke on a panel discussing the best practices for attorneys representing debtors, creditors, Trustees, and other participants in the bankruptcy system.