



ROCCO I. DEBITETTO

PARTNER



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As chair of the firm’s Business Practice Area, Rocco I. Debitetto counsels businesses and individuals in connection with a variety of matters pertinent to all phases of business operations. He has been involved in a variety of commercial transactions from all sides of the table, including asset sales and acquisitions, business start-ups, significant contract negotiations, and commercial and asset-based financings. Several businesses further look to Rocco on a regular basis as their outside general counsel, tasked with addressing day-to-day legal needs and issues.

Rocco also is an experienced business restructuring attorney with a practice focusing on creditors’ rights, reorganization, workouts, bankruptcy and state court proceedings. He has diverse experience representing debtors-in-possession, secured lenders, lessors and landlords, unsecured creditors, official creditor committees, individual business owners, trustees, and receivers.

Finally, Rocco has an established art law practice dedicated to representing museums of all kinds and sizes, private collectors, and trade organizations in connection with buying, selling, commissioning, and lending art; importing and exporting art; procuring gifts of art; and advocating for the interests of museums under the Cultural Property Implementation Act.

Professionally, Rocco “grew up” at Hahn Loeser, beginning his career with the firm as a 23-year-old law student, and growing with it for almost two decades.

Representative Experience

- *In re Garden Fresh Restaurants, LLC*, represent landlord in bankruptcy of nationwide restaurant chain.
- *In re Murray Energy Holdings Co., et al.*, serve as Ohio counsel to \$90 million post-petition lender.
- *In re FirstEnergy Solutions, Corp., et al.*, served as Ohio counsel to Official Committee of Unsecured Creditors.
- *In re LTV Steel*, represented oil distributor in administrative claim litigation.
- *In re Rouge Steel*, represented largest vendor, Cliffs Natural Resources, in auction and sale of debtor’s assets and securing long-term supply contract.
- *In re K-Mart Corp*, represented commercial real property lessor in assumption and assignment of lease.
- *In re PHD*, represented creditors’ committee in all facets of bankruptcy, including director and officer litigation.
- *In re Regional Diagnostics*, represented creditors’ committee and liquidating trustee in all facets of bankruptcy.
- *In re Antaeus Tech. Servs.*, represented buyer of intellectual property.
- *In re Scott Acquisition Co. Inc.*, represented commercial landlord of two Scotty’s DIY locations.



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- *In re Villa Marie Estates*, represented chapter 11 trustee in operation and sale of debtor's assets.
- *In re WCI Steel*, represented major supplier, Cliffs Natural Resources, in securing long-term contract and defending reclamation rights.
- *In re Nat. Steel Corp.*, defended oil supplier in preference litigation.
- *In re Evangelical Retirement Village*, represented capital equipment lessor in assignment of lease pursuant to sale of debtor's assets.
- *In re Buckeye Elec. Co., Inc.*, represented The Ohio State University in all bankruptcy aspects of complex construction and surety litigation.
- *In re O'Donnell Sec. Corp.*, represented insurer in non-dischargeability action against broker-dealer and bankruptcy claim litigation.
- *In re Clark Indus. Insulation*, represented debtor's insurer in connection with alleged asbestos liability.
- *In re Nat'l Employee Benefit Servs.*, represented real property lessor in obtaining relief from stay to remarket premises occupied by Securities Investor Protection Act trustee.
- *In re The Austin Co.*, represented multiple parties in bankruptcy of general contractor, including preferential/fraudulent transfer defendants, project owners, and various unsecured creditors.
- *In re Delphi Corp.*, represented multiple suppliers in all facets of bankruptcy case.
- *ABS Litigation Trust v. Fifth-Third Bank, et al.*, defended member of lending syndicate in lender liability action.
- *In re Cardinal Fastener & Specialty Co., Inc.*, served as lead counsel to chapter 11 debtor in sale of substantially all of its assets.
- *In re Ventilex USA Inc.*, served as lead counsel to chapter 11 debtor in reorganization and recapitalization of fluid bed dryer distributorship.
- *In re Triad Resources, Inc., et al.*, represented chapter 11 debtors-in-possession in sale and reorganization of oil and gas exploration and production companies.
- *In re I.E. Liquidation, Inc. f/k/a Ideal Electric Co.*, represented largest unsecured creditor and defendant in significant business litigation with debtor.
- *In re Freida R. Lauer*, served as lead counsel to individual chapter 11 debtor.
- *In re Eastman Kodak Co.*, served as lead counsel to Johnson Controls, Inc., one of the largest general unsecured creditors.
- *In re Cleveland Corp. Servs.*, served as lead counsel to SMART Technology, Inc., the largest general unsecured creditor/supplier.
- *In re D&L Energy, Inc.*, served as counsel to oil exploration and production company doing business with debtor-in-possession pursuant to joint venture agreements.
- *Hanna Inv., LLC v. Canyon Props., LLC*, served as lead counsel to debtor and individual business owners/guarantors.
- *In re Lapahana, LLC*, served as lead counsel to senior secured creditor.
- *In re Shells, Inc.*, et al., served as lead counsel to prepetition secured lender.
- *In re Coshocton Cnty. Mem. Hosp. Assn.*, served as co-counsel to Official Committee of Unsecured Creditors.
- *Bank of Am., N.A. v. Pearl Drake, LLC, et al.*, served as lead counsel to receiver of operating strip mall.

Publications & Speaking Engagements

- Quoted, "FirstEnergy Solutions' Chapter 11 case could be long, complicated court fight," *Crain's Cleveland Business*, April 2018.
- Panelist, "Small Business Bankruptcy Reform," N.D. of Ohio Bankruptcy Bench-Bar Retreat, October 2019.
- Panelist, "Exemptions in Bankruptcy," N.D. of Ohio Bankruptcy Bench-Bar Retreat, October 2017.
- Author, "Sit Down, Shut Up and Mind Your Own Business: Controlling Subordinate Lenders in Bankruptcy," *ABF Journal*, February 2017.
- Speaker, "Terra Incognita: An introduction to litigating in the bankruptcy court," Webinar, August 2016.
- Author, "Chapter 11, Five Cards at a Time: Secured Lenders Hold 'Em or Bust," *ABF Journal*, March 2015.
- Speaker, "Bankruptcy Litigation 101, Adversary Proceedings – Discovery, Evidence, and Settlements," National Business Institute, November 2014.
- Author, "Bankruptcy: The Ultimate Buzz Kill? Sobering Considerations for Financing the Marijuana Industry," *ABF Journal*, April 2014.
- Speaker, "Legal and Finance Issues in the Production, Marketing and Sale of Marijuana," American Agricultural Law Association Agricultural Law Symposium, 2014.
- Speaker, "Contested Motion Practice, Dischargeability Actions, and Bankruptcy Appeals," National Business Institute, 2012.
- Speaker, "The Origins of Bankruptcy," Federal Bar Association, 2011.
- Speaker, "Work-Life Balance," Federal Bar Association New Lawyer Training, 2010.
- Speaker, "Turnaround Strategies," Ohio Society of CPAs Corporate CPAs Spring Forum, 2009.
- Speaker, "Dealing with Difficult Lawyers," Federal Bar Association New Lawyer Training, 2009.
- Author, "Behind the Tab," *Cleveland Bar Journal*, April 2008.



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- Author, “My Social Tummy Ache,” *Cleveland Bar Journal*, March 2008.
- Author, “Everything In Between,” *Cleveland Bar Journal*, February 2008.
- Author, “The Theory of Nothingness,” *Cleveland Bar Journal*, January 2008.

Professional History

- Partner, Hahn Loeser & Parks LLP, 2010-present; Chair, Business Practice Area, 2019 – present; Commercial Services & Restructuring Practice Group, Member, 2001-present; Director of Legal Personnel, 2013-16; Associate, 2001-09; Summer Associate, 2000.
- Extern, Hamilton County Public Defender’s Office, Juvenile Division, 2001.
- Law Clerk, Robert E. Sanders & Associates, P.S.C., 1999-2001.
- United States Army Judge Advocate General Corps, Civilian Law Clerk, XVIII Airborne Corps, 1999.
- Summer Probate Clerk, Weltman, Weinberg & Reis, Co., L.P.A., 1996-98.

Admissions

- State of Ohio, 2001.
- U.S. District Courts for the Northern District of Ohio and the Southern District of Ohio, 2002; U.S. Court of Appeals Sixth Circuit, 2005; U.S. Supreme Court, 2006.

Education

- University of Cincinnati College of Law, J.D., 2001.
 - Honors & Activities: 2001 Norbert Heinsheimer Essay Award for Best Comment; 1999 George C. Katsanis Scholarship Award; Dean’s Honor List, Member, 1999-2001; Law Review, Associate Member; Phi Alpha Delta, Member; Volunteer Lawyers Project, Member.
- University of Dayton, B.A., *summa cum laude*, 1998.
 - Honors & Activities: Omicron Delta Epsilon Economics Honors Fraternity, Member; Golden Key International Honor Society, Member; Rugby Football Club, President.

Memberships & Affiliations

- American Bar Association, Business Law Section, Member.
- American Bankruptcy Institute, Member.
- Catholic Lawyers Guild, Member, 2001-present.
- The Justinian Forum, Member, 2011-present.
- Federal Bar Association, Cleveland Chapter, Board of Directors, 2006-present; Bankruptcy Section, Inaugural Chair, 2009-present; Newsletter Committee, Vice-Chair, 2007-09.
- Attorney Constituency Group, United States Bankruptcy Court, N.D. of Ohio, 2006-present.

- Cleveland Metropolitan Bar Association, Member, 2004-present; Young Lawyers’ Section, Chair, 2007-08; Bankruptcy and Commercial Law Section, Member; Fall 2008 Seminar, Co-Chair.

Awards & Distinctions

- *Ohio Super Lawyers*®, 2014-21; Top 100 Ohio, 2015-20; Top 50 Cleveland, 2015-20.
- *ChambersUSA*, Bankruptcy/Restructuring, 2014-21.
- *The Best Lawyers in America*®, Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law, 2013-22.
- *Who to Watch in Law*, Crain’s Cleveland Business, 2013.
- Rising Star, *Ohio Super Lawyers*®, 2005-07; 2009-13.
- AV Preeminent®, Martindale-Hubbell.

Community Involvement

- Assistant Girls Baseball Coach, Independence, Ohio, 2020.
- Assistant Girls Basketball Coach, St. Michael School, 2019-20.
- St. Basil the Great Church, Member (2012-present), and Co-Spiritual Director for annual Men’s Renewal Retreat (2018-present).
- Ohio Youth Rugby Association (“Rugby Ohio”), Member; Board of Directors, 2013-15; Commissioner, High School Division, 2012; Finance Committee Chair, 2012.
- University of Dayton Alumni Association, Member.
- University of Dayton Rugby Football Club Alumni Association, Co-Founder and Former Director.
- Color Commentator, Ohio High School Division II Boys’ Rugby State Championship, 2013.
- Lake Edge Beach Homeowners’ Association; Board of Trustees, 2006-08, 2010-12.
- Wills for Heroes, Volunteer Attorney, 2008-09.