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Areas of Practice

Global Transport Practice | Banking / Financial Institutions | Bankruptcy / Creditors Rights | Distressed Debt | Financing and Commercial Transactions | Commercial Lending | Equipment Leasing | Manufacturing

Mr. Barab represents lenders, agents for syndicated lenders, factors and borrowers in connection with all legal aspects of financing accounts receivable (including both factoring and lending transactions), revolving lines of credit, equipment and other term loans, syndicated loans, leveraged buyouts, acceptance financings and participations, both secured and unsecured. His lender clients include AgFirst Farm Credit Bank (and agricultural credit associations in AgFirst's farm credit district) and Commercial Factors of Atlanta, Inc. He also represents issuers, beneficiaries and customers in letter of credit transactions and other parties in connection with a variety of commercial transactions, including those involving sales and leases of personal property, negotiable instruments, bank deposits and collections, electronic funds transfers, documents of title and investment securities. He represented a foreign airline in connection with, among other transactions, a tender offer for approximately \$40,000,000 in notes and a \$75,000,000 securitization, through an off-shore special purpose vehicle, of its U.S. credit card receivables and the financing of its acquisition of an air freight company.

His practice also includes both the representation of debtors in chapter 11 cases and out-of-court workouts and the representation of lenders, factors and other parties in connection with distressed debt both in and outside the context of bankruptcy proceedings, and, in general, a variety of other types of commercial transactions.

Mr. Barab served as lead bankruptcy counsel to Trans World Airlines, Inc. in its 1995 prepackaged chapter 11 case and to Knology Broadband, Inc. in its 2002 prepackaged chapter 11 case. He previously served as bankruptcy counsel to System One Corporation (a subsidiary of Continental Airlines, Inc.) in its chapter 11 case. Other cases in which Mr. Barab has

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been involved on behalf of creditors include *In re Savin Corp.*, in which he represented an indenture trustee, *In re Air Atlanta, Inc.*, in which he represented the principal secured creditor and *In re Towle Manufacturing Company*, in which he represented an ad hoc committee of bondholders.

Most recently, Mr. Barab handled the chapter 11 case of Skybus Airlines, Inc., and represented as lead bankruptcy counsel Avianca Airlines, a Colombian domestic and international airline, in its chapter 11 case in the Southern District of New York. The Avianca case was notable because the debtor's plan of reorganization was confirmed and became effective without the necessity of a parallel proceeding in the jurisdiction of the airline's domicile.

In 1974, Mr. Barab received his B.A. degree, magna cum laude, and in 1977 his J.D. degree, both from Duke University. Following graduation from law school, he joined the Atlanta firm of McClain, Mellen, Bowling & Hickman, and in 1981 he joined Smith, Gambrell & Russell, LLP. Mr. Barab is licensed to practice law in Georgia and South Carolina. He is a member of the UCC Committee of the Corporate Section of the State Bar of Georgia and has acted as a program chairman and frequent speaker for the annual seminar on Secured Lending Under the UCC, conducted by the UCC Committee and sponsored by the Institute for Continuing Legal Education in Georgia. As a member of the Committee on Agriculture and Agri-business of the ABA Section of Corporate, Banking and Business Law, Mr. Barab served on the Task Force on Revisions to Article 9 of the Uniform Commercial Code. Mr. Barab has also participated as a featured speaker on cross border insolvency in Bogotá, Colombia at an International Seminar sponsored by, among others, the United Nations Commission on International Trade Law (UNCITRAL) and the Bogotá Chamber of Commerce. He was also a lecturer on bankruptcy and cross border insolvency for a course on International Contracting at the Universidad Externado de Colombia and has served as an adjunct professor at Emory Law School.

Admissions

Georgia

South Carolina

Memberships

Odyssey Family Counseling Center

Recognitions

The Best Lawyers in America®, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2021-2025)
Georgia Trend magazine - Legal Elite (2010, 2012)