



## Kathleen G. Furr

Shareholder

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Katy Furr represents financial institutions, businesses of all sizes, and individuals in a wide variety of bankruptcy, creditors' rights and other business litigation in state and federal court.

Katy is the assistant office managing shareholder in the Firm's Atlanta office. She represents secured and unsecured creditors in a variety of matters, including Chapter 11, Chapter 7, and Chapter 13 bankruptcy cases, involuntary petitions, section 363 sale issues, cash collateral issues, lien priority and avoidance actions, preference actions, rejection/assumption of executory contracts, stay relief actions, asset recovery and disposition, contested confirmation hearings, adversary proceedings, and bankruptcy appeals to district court.

In addition to her bankruptcy practice, Katy regularly represents individuals, businesses, equipment finance companies, and financial institutions with respect to commercial litigation, contract disputes, foreclosures, receiverships and post-judgment collection activities in state and federal courts. Katy's commercial litigation practice has a strong focus on financial fraud matters.

Katy's prior experience includes serving as a law clerk to Chief Judge Craig Whitley with the United States Bankruptcy Court for the Western District of North Carolina and Judge Wendy Hagenau with the United States Bankruptcy Court for the Northern District of Georgia.

### Representative Matters

- Represented a national equipment finance company in multi-million dollar lawsuits in state and federal court involving claims of, among others, fraud.
- Represented a national bank in a multi-million dollar federal lawsuit against obligors and third parties involving claims of fraud and conversion. Successfully obtained a judgment in the bank's favor and pursued obligors through post-judgment collection efforts.
- Represented a franchisor's interests in four related bankruptcy cases of franchisees operating stores in Arkansas and South Carolina, a management company, and an individual owner who guaranteed debt to the franchisor. Successfully obtained a court-ordered rejection of various franchise agreements and leases despite objections from the debtors and official committee after a full-day trial. Also assisted the franchisor in retaking possession/operation of several stores while maintaining continuity of day-to-day operations and employment at each store.
- Successfully represented national banks and equipment finance companies in state and federal lawsuits seeking recovery from borrowers, guarantors, and third parties on the basis of fraud and related tort claims.
- Successfully defended and obtained a dismissal and subsequent favorable settlement in a Chapter 7 involuntary case on behalf of her client, the alleged Chapter 7 debtor, following a three-day trial.
- Represented a mortgage servicer in a three-day trial in the United States Bankruptcy Court for the Northern District of Georgia on a Motion to Enforce Chapter 11 Plan. Among other issues, the trial focused on alleged breaches of a confirmed Chapter 11 plan, the legal concept of waiver under Georgia law, the legal concept of apparent authority under federal law, and Georgia law on modifications to written contracts.
- Successfully secured multiple judgments for lender clients against commercial borrowers and guarantors and pursued post-judgment collections to recover monies for client.

- Successfully argued and obtained summary judgment in favor of all defendants involving a breach of contract claim relating to a food services contract.
- Assisted various financial institution clients with commercial property foreclosures.
- Represented a financial institution client on multiple occasions as to bankruptcy stay relief orders and successful state court recovery of its collateral.
- Successfully obtained dismissal of various bankruptcy adversary proceeding complaints against mortgage servicing clients in a variety of bankruptcy contexts.
- Successfully defended a medical diagnostic company against an involuntary Chapter 7 bankruptcy petition filed by a minority owner and several alleged creditors. Following a three-day trial, the bankruptcy judge granted our motion to dismiss the case, finding that there were not enough eligible creditors to sustain the petition because most of the claims were subject to a "bona fide dispute as to liability or amount" within the meaning of Section 303(b) of the Bankruptcy Code. In so ruling, the judge reserved jurisdiction to hear our motion for attorneys' fees, costs, and damages against the petitioning creditors for future decision, resulting in a favorable settlement for our client.
- Obtained favorable ruling on Motion for Judgment on the Pleadings in a contract dispute with a property owner and lessor involving a cell phone tower lease. The court adopted our client's interpretation of the applicable lease provisions and entered an order in our client's favor.
- Obtained dismissal of a lawsuit brought against a large financial institution by a bankruptcy debtor alleging willful violation of a bankruptcy stay.
- Represented and obtained a judgment in a regional bank's favor on summary judgment following a contested summary judgment hearing. When the judgment debtors/defendants filed an appeal with the Georgia Court of Appeals, Ms. Furr represented the bank on appeal. The Court of Appeals affirmed the judgment in the bank's favor, finding no merit in the appeal.
- Prevailed as the plaintiff in a two-day bench trial in the U.S. District Court for the Northern District of Georgia on behalf of our client, a national investment management firm. Based on the evidence and arguments presented at trial, the court awarded our client compensatory damages for claims of breach of contract, fraud, and civil conspiracy, among others. The judge also held two corporate defendants personally liable and awarded punitive damages and attorneys' fees to our client.
- Represented a general contractor in its subcontractor's Chapter 11, Subchapter V bankruptcy case, including successfully negotiating assumption and rejection terms for three subcontracts worth more than \$1.5 million.
- Obtained dismissal of an adversary complaint filed against a major financial institution alleging violation of a debtor's Chapter 11 bankruptcy plan. Subsequently defended the financial institution against a motion for contempt in the underlying bankruptcy case and reached a successful settlement.
- Represented a client in the fast-paced Delaware Chapter 11 bankruptcy case involving a 363 sale. Negotiated assumption and cure terms and resolved business issues involving company customers who were in service agreements with the debtor.
- Represented a bank subsidiary in a complex business fraud lawsuit against a vendor involving \$3.6 million in loans. Settled the case on favorable terms.
- Successfully obtained the rejection of a restaurant lease and successfully secured recovery of the premises on behalf of a commercial landlord after representation of the client through multiple contested evidentiary hearings.
- Represented a general contractor in its flooring supplier's Chapter 11 bankruptcy action. Protected the contractor's rights under multiple subcontracts and in the sale of the debtor company under 11 U.S.C. § 363.
- Represented a software provider's interest as a creditor in the Chapter 11 bankruptcy case of a financial technology company.
- Represented a major bank's interest as a creditor in an individual's Chapter 12 bankruptcy case. Advised the bank regarding plan modifications and the sale of loan collateral.

- Represented an equipment financing company in a breach of contract lawsuit seeking nearly \$1.2 million for multiple defaulted commercial loans secured by petroleum station related equipment and materials, and a related replevin proceeding to recover the subject collateral. Successfully negotiated a resolution to both lawsuits to the satisfaction of the commercial lender.



## Professional Honors & Activities

- Listed in *The Best Lawyers in America*® for Litigation - Bankruptcy (2025)
- Listed in *Chambers USA* as a leading Bankruptcy/Restructuring lawyer in Georgia (2023 – 2025)
- Selected to the 2021 Class of American Bankruptcy Institute's 40 Under 40 Program
- Named a Georgia Rising Star in Bankruptcy: Business (2017, 2018)
- Nominated as an "Attorney to Watch" in 2018 by *Atlanta Attorney at Law Magazine*
- Named as one of Georgia's Outstanding Young Lawyers by *Atlanta Magazine* (2018)
- Named as one of Georgia's Legal Elite in Bankruptcy & Creditors' Rights by *Georgia Trend Magazine* (2013)
- Recipient – Cobb County Legal Aid Pro Bono Star
- Member – International Women's Insolvency and Restructuring Confederation
- Member – Metro Atlanta Chamber of Commerce Atlanta Leaders
- Member – The W. Homer Drake, Jr. Georgia Bankruptcy American Inn of Court



## Civic Honors & Activities

- Volunteer – Girls' Youth Lacrosse Coach (2020 – present)
- Former Big Sister – Big Brothers Big Sisters of Atlanta



## Publications

- "Key Approaches for Maximizing Post-Judgment Enforcement Outcomes," republished January 6, 2025, in *ABF Journal* (December 2024)
- "A Framework For Investigating Commercial Loan Fraud," *Law360* (June 2024)
- "Spotlight: Baker Donelson Work-Life Warriors," *Women's Initiative Newsletter* (June 2023)
- "Baker's Dozen: What Are Your Best "Balance" Tips?," *Women's Initiative Newsletter* (June 2023)
- Co-editor – "ABI Preference Handbook," American Bankruptcy Institute, Third Edition (May 2023)
- "Celebrating 50 Years of Title IX," *Women's Initiative Newsletter* (January 2023)
- "Successful Mentoring and Accountability Tips for Young Lawyers," *Trial Spotlight Newsletter* (July 2021)
- "Baker's Dozen: Honoring Moms Everywhere," *Women's Initiative Newsletter* (May 2021)
- Co-author – "Silence Is Golden? Rose and Its Focus on Real Property Surrendered in Chapter 13," *American Bankruptcy Institute Journal* (January 2015)



## Speaking Engagements

- Panelist – "Client Communications in the Digital Age," Bankruptcy Section, Atlanta Bar Association (May 2022)
- Panelist – "Small Business Reorganization Act of 2019: Where are We Now, Six Months Later?," Atlanta Bar Association (August 2020)
- Presenter – Clemson University Honors College (April 2020)
- Panelist – "Debtor ToolBox - How to Effectively Address Mortgage-Servicing Issues," American Bankruptcy Institute's Southeast Conference (July 2019)
- "The Interplay Between Bankruptcy and Forensic Accounting," Georgia Chapter of the Association of Certified Fraud Examiners (December 2018)
- "Tweet This, Not That: A Guide to Social Media and Legal Ethics," Women's Initiative Committee (December 2014)

- "Remedial Action in Southeastern States: Georgia," webinar (May 2014)



## Webinars

- Fraud and Commercial Loan Transactions: Post-Judgment Legal Strategies (April 2025)
- Fraud and Commercial Loan Transactions: Post-Judgment Legal Strategies (November 2024)
- Fraud and Commercial Loan Transactions: Litigation & Legal Strategies (August 2024)
- Fraud and Commercial Loan Transactions: From Suspicion to Investigation (April 2024)
- Bracing for the Next Bankruptcy Wave in the Post-COVID World (July 2020)
- Regions/Baker Donelson Webinar: FDCPA Dos and Don'ts (June 2020)



## Education

- Emory University School of Law, J.D., 2008, with honors
  - Managing Editor, *Emory Bankruptcy developments Journal*
- Clemson University, B.S., 2005, magna cum laude



## Admissions

- Georgia, 2008
- Georgia Supreme Court, 2011
- Georgia Court of Appeals, 2011
- United States Court of Appeals for the Eleventh Circuit
- United States District Court for the Northern, Middle, and Southern Districts of Georgia
- United States Bankruptcy Court for the Northern, Middle, and Southern Districts of Georgia
- United States District Court for the District of Colorado