# Patricia Kirkwood Burgess

Partner

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**Industries**

Finance

Manufacturing

Mobility

Multifamily Housing

Supply Chain

**Practice Areas**

Banking & Financial Disputes

Bankruptcy & Restructuring

Business & Commercial Litigation

Litigation

Private Equity & Venture

**Bar Memberships**

Kentucky

Ohio

Tennessee

Patricia is a results-oriented, trusted legal advisor to her clients. For more than 25 years, she has helped individuals and businesses navigate financial difficulties and legal disputes to reach innovative, cost-effective and efficient solutions. She places great emphasis on thoroughly understanding all aspects of her clients' businesses so she can focus not only on their legal issues, but also on the practical implications those issues have on their businesses and lives. Patricia is also Co-Chair of the firm's Mobility Industry Team.

## Patricia's Relevant Experience

### Legal Work Highlights

Patricia currently chairs FBT's Automotive Industry Team and leads FBT's representation relating to troubled automotive suppliers, including large supplier and automotive bankruptcies, and supply chain risk management matters (Takata Corporation, Dana Corporation, Delphi Corporation, Johnson Rubber Company, Excello Engineered Systems, Intermet Corporation, Lear Corporation, Metavation, General Motors, Chrysler, Dura Automotive and Pace Industries). She has guided individual and corporate debtors in Chapter 11 bankruptcy, as well as workout negotiations outside of court across a spectrum of industries, including logistics companies, franchises and franchisors, real estate investors, restaurant owners, manufacturers, communication companies and automotive suppliers.

Counsels businesses of varying sizes engaged in complex commercial disputes such as breach of contract, negligence, fraud, misrepresentation, tortious interference, successor liability,

business ownership, control and governance issues, mineral trespass and energy-related disputes, franchise disputes and violations of various state and federal statutes.

Works with secured lenders in protecting and recovering their collateral whether through workout and forbearance, self-help remedies, state or federal court litigation, or bankruptcy proceedings.

Assists secured and unsecured creditors, debtor in possession lenders, landlords, utilities and purchasers of assets in both complex commercial bankruptcies as well as large and small individual Chapter 11 cases.

Represents plaintiffs and defendants in preference actions nationally, fraudulent conveyance actions, claim objections, breach of fiduciary duty investigations, and any other contested or litigation matters in bankruptcy court.

Assists individuals involved in all levels of litigation disputes, such as will contests and estate litigation, challenging and defending enforceability of contracts, fraud and negligence.

Represents financial institutions (from local to national) in defending lender liability claims and violations of state and federal statutes, as well as pursuing commercial foreclosure and collection actions.

Manages filing, enforcing and defending mechanic's liens and litigation in Kentucky.

Mediates complex commercial disputes.

## Other Info About Patricia

### Education

University of Cincinnati College of Law, J.D., 1994
Order of the Coif
Moot Court Board
Delta Theta Phi

Thomas More College, B.A., 1991, *summa cum laude*

## Courts

Supreme Court of Ohio

Supreme Court of Kentucky

Supreme Court of Tennessee

U.S. Court of Appeals, Sixth Circuit

U.S. District Court for the Eastern District of Kentucky

U.S. District Court for the Western District of Kentucky

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Tennessee

U.S. District Court for the Middle District of Tennessee

U.S. District Court for the Southern District of Ohio

U.S. District Court for the Northern District of Ohio

## Recognition

*Chambers USA*, Tennessee, Band 2, Bankruptcy/Restructuring 2025-2026

*The Best Lawyers in America,*® Commercial Litigation, 2025-2027

The *Lawdragon* 500 Leading U.S. Bankruptcy & Restructuring Lawyers, 2020-2026

Leadership Northern Kentucky (LNK) Class of 2016

## Professional Affiliations

Turnaround Management Association

American Bar Association

American Bankruptcy Institute

Ohio Bar Association

Tennessee Bar Association

International Women's Insolvency & Restructuring Confederation, Board Member, Tennessee Representative

### Civic Activities

Northern Kentucky Chamber of Commerce, Woman's Initiative

Southern Automotive Women's Forum, Treasurer

Women Presidents Organization, Alumni

Tennessee Automotive Manufacturers Association, Previous Board Member

### Firm Committees

Mobility Team, Co-Chair

Partner Personnel Committee, Member

Compensation Committee (2019-2024)

### Presentations

Panelist, Put the Brakes On or Pedal to the Metal: Automotive Related Restructurings, AIRA 41st Annual Bankruptcy and Restructuring Conference, June 2025

Mock Hearing on Plan Feasibility in Automotive Supplier Bankruptcy, ABI Central States Bankruptcy Workshop, June 2025

Panelist, Bankruptcy Alternatives Panel, ABI Southeast Bankruptcy Workshop, July 2024

Co-host, *ABI TechBytes* Podcast Concludes Cryptocurrency Series with Key Insights for Practitioners – Ep. 262, December 2023

Co-host, *ABI TechBytes* Podcast Examines Fiduciary Duties in Cryptocurrency Cases – Ep. 260, December 2023

Co-host, *ABI TechBytes* Podcast Examines Cryptocurrency and the Law – Ep. 257, November 2023

Co-host, *ABI TechBytes* Podcast Examines Cryptocurrency Basics – Ep. 255, October 2023

Supply Chain Panel, International Women's Insolvency & Restructuring Confederation 2021 Fall Conference, October 2021

Supply Chain Disruption Panel, ABI Winter Leadership Conference, December 2022

**Major Publications**

Author, "What investors need to know about the automotive sector," PE Hub, October 22, 2024

Co-Author, "Distressed Auto Industry Players Have Options to Avoid Bankruptcy," Bloomberg Law, October 2024

Author, "How I Made Industry Team Leader: 'Build Relationships and Trust,' says Patricia Kirkwood Burgess of Frost Brown Todd," Law.com, October 14, 2022

Co-Author, "Have Automotive Suppliers Traded in for a New Model? Alternatives To Chapter 11 Bankruptcy in the Post-COVID Era," INSOL International, April 1, 2022

## Featured Articles

Automotive Regulatory Outlook: The Push for Electric Vehicle Markets and the Challenges Faced by Automakers

New Paradigm for Fighting Cyber Fraud in the Automotive and Mobility Industries

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