

# Caith Kushner

## Partner

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New York

Caith Kushner is a partner in the New York office of Gibson, Dunn & Crutcher and a member of the Business Restructuring and Reorganization Practice Group and the Liability Management and Special Situations Practice Group.

Caith's practice focuses on liability management and distressed financing transactions, including out-of-court debt exchanges and other restructurings, DIP financings and exit financings, as well as direct lending transactions. He also has experience in a wide range of leveraged finance and investment grade transactions, representing both private equity clients and public companies. In 2024, Caith was listed in *Lawdragon's* 500 Leading Dealmakers in America.

His representative experience includes:\*

- An ad hoc committee of noteholders of Mallinckrodt, a leading global biopharmaceutical company, in (a) Mallinckrodt's chapter 11 cases and (b) a prior out-of-court exchange of \$495 million of senior unsecured debt for new first lien senior secured notes, on a par-for-par basis.
- An ad hoc committee of unsecured noteholders of Neiman Marcus in connection with a recapitalization transaction involving the exchange of unsecured notes into a new series of third-lien notes and preferred equity in MyTheresa, a German luxury online retailer, and the issuance of second lien notes.
- Carnival Corporation & plc in multiple secured and unsecured high yield debt financing and repricing transactions.
- An ad hoc group of secured and unsecured creditors of Digicel Group, the leading provider of mobile phone networks and home entertainment services in 25 markets across the Caribbean, Central America and Asia Pacific, in its restructuring of over \$5.4 billion of debt
- Party City, a global leader in the celebrations industry, and certain domestic subsidiaries in its prearranged chapter 11 proceedings, including its \$150 million DIP financing and exit financing consisting of a first-lien ABL facility and second-lien notes.
- Diamond Sports Group, the nation's largest owner of regional sports networks, in its chapter 11 cases, including the negotiation of a restructuring support agreement and its \$450 million DIP financing.
- Diamond Offshore Drilling in its exit financing related to its emergence from bankruptcy, consisting of a \$400 million first-lien revolving credit facility, \$100 million first-lien term loan facility and \$85 million of first-lien notes.
- An affiliate of Apollo Global Management in the financing for the \$5.6 billion acquisition of LifePoint Health, a network of hospitals, post-acute service providers and outpatient centers.



### Capabilities

Business Restructuring and Reorganization

Finance

Liability Management and Special Situations

### Credentials

#### Education

Columbia University - 2005 Juris Doctor

University of Pennsylvania - 1999 Bachelor of Arts

University of Pennsylvania - 1999 Bachelor of Science

#### Admissions

New York Bar

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- An affiliate of Apollo Global Management in the financing for the \$15 billion acquisition of The ADT Corporation, a leading provider of monitored security, interactive home and business automation and related monitoring services.
- Oak Hill Capital and its portfolio companies, in numerous financing transactions in connection with acquisition, recapitalization and refinancing transactions.
- Elanco Animal Health in the debt financing for its \$7.6 billion acquisition of the animal health business of Bayer AG.
- Conduent Inc. in its entry into \$1.33 billion of first-lien credit facilities and its issuance of \$520 million of first-lien notes.
- IBM in the \$20 billion bridge financing commitment for its \$34 billion acquisition of Red Hat Inc., creating the world's largest hybrid cloud provider.
- Verizon in the \$61 billion bridge financing commitment for its \$130 billion acquisition of Vodafone's 45% interest in Verizon Wireless.

Before joining Gibson Dunn, Caith was a partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP. Caith received his law degree from Columbia University where he was a Harlan Fiske Stone Scholar, a James Kent Scholar and a member of the Columbia Law Review. He is admitted to practice in the state of New York.

*\*Includes representations prior to Caith's association with Gibson, Dunn & Crutcher.*