



## Clayton D. Ketter

### DIRECTOR

Clayton D. Ketter is a Director and the Firm's Litigation Practice Group Leader. Clay's practice involves a wide range of business litigation in both federal and state court, including extensive experience in financial restructurings and bankruptcy matters.

### CONTACT

cdketter@phillipsmurrah.com

#### Oklahoma City

405.235.4100 Main  
405.606.4792 Direct  
405.235.4133 Fax

#### Dallas

214.434.1919 Main  
214.434.1370 Fax

### PRACTICE AREAS

- Bankruptcy and Restructuring
- Commercial Litigation
- Healthcare Law
- Financial Institutions Litigation

### EDUCATION

- University of Oklahoma (B.B.A. Finance magna cum laude, 2004)
- Southern Methodist University (J.D. magna cum laude, 2007)

### ADMISSIONS

- 2007, Texas
- 2008, U.S. District Court, Northern, Southern, Eastern and Western Districts of Texas
- 2011, Oklahoma
- 2011, U.S. District Court, Western District of Oklahoma
- 2013, U.S. District Court, Eastern

### BIOGRAPHY

Clayton D. Ketter is a Director and the Firm's Litigation Practice Group Leader. Clay represents individuals and companies in a wide range of commercial matters with an emphasis on financial restructuring for a variety of industries.

Clayton has extensive experience in financial restructuring and bankruptcy matters, representing debtors, creditors, Chapter 7 trustees and official and informal creditors' committees in all aspects of the bankruptcy process.

His practice also focuses on complex state and federal litigation involving a variety of claims. Clayton handles complex commercial trial work, including representation of numerous banks and financial institutions. He has particular experience prosecuting and defending claims related to the foreclosure process.

He received his B.B.A. magna cum laude in finance in 2004 from the University of Oklahoma and his J.D. magna cum laude in 2007 from Southern Methodist University's Dedman School of Law. While in law school, he was an associate editor of SMU Law Review and a member of Order of the Coif.

A native Oklahoman, Clayton was raised in El Reno and now resides in Oklahoma City with his wife, Kathy, and son, Thomas. Prior to joining the firm in 2011, he practiced law in the Dallas office of Akin Gump Strauss Hauer & Feld LLP.

### EXPERIENCE

- **Bankruptcy Experience**
- Counsel to Fluid End Sales, Inc. in the successful reorganization of its oil and gas supply and manufacturing business through Chapter 11, Subchapter V
- Counsel to Destiny Petroleum LLC, an oil and gas production company, in its successful Chapter 11 reorganization
- Counsel to Foundation Healthcare Affiliates, L.L.C., a healthcare provider, in its Chapter 11 restructuring
- Counsel to Foothills Resources, Inc., an oil and gas production company, in its successful Chapter 11 reorganization
- Counsel to Terrestar Networks Inc., a provider of satellite services, in its Chapter 11 restructuring
- Counsel to an individual debtor in one of the first Chapter 11, Subchapter V cases to be filed in the Western District of Oklahoma
- Counsel to the Official Unsecured Creditors Committee of LandAmerica 1031

- District of Oklahoma
- 2013, U.S. Court of Appeals, Fifth Circuit
- 2015, U.S. District Court, Northern District of Oklahoma
- 2015, U.S. Court of Appeals, Tenth Circuit

- Exchange Services, Inc.
- Counsel to numerous multi-national, regional, and local creditors in bankruptcy proceedings asserting secured, unsecured, and administrative claims
- Prosecuted and defended multiple preference and fraudulent transfer actions in bankruptcy courts across the country, including multiple multi-million dollar claims
- **Litigation Experience**
- Obtained numerous judgments in favor of banking and financial institutions enforcing loan documents, recovering collateral, and defeating counterclaims raised by the borrowers
- Successfully completed numerous foreclosures of both commercial and residential real property, judicially and through power of sale
- Successfully represented creditors in receivership proceedings, including in obtaining the appointment of a state court receiver
- Represented multinational, regional, and local companies in litigation involving a wide-array of commercial claims and issues

## EXPERTISE

- Financial restructuring and bankruptcy
- Foreclosures
- State court receiverships
- Creditor and financial institution representation in collection actions
- Commercial litigation

## PROFESSIONAL ORGANIZATIONS

- Oklahoma Bar Association
- Oklahoma County Bar Association
- American Bar Association

## RECOGNITION

- Best Lawyers®: Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2019-present)
- Best Lawyers®: , Commercial Litigation (2019-present)
- Best Lawyers®: Litigation - Bankruptcy (2020-present)
- Best Lawyers®: Financial Services Regulation Law (2021)
- Super Lawyers by Thomson Reuters: Rising Star (2021)

## PUBLICATIONS

- Co-Author, Mortgage and Asset Backed Securities Litigation Handbook
- Co-Author, Trigild Deskbook, Guide to Receivership & Foreclosure (Oklahoma Section)
- [Phillips Murrah announces 19 attorneys named to 2021 Super Lawyers list](#)
- [Bankruptcy filings broke pattern in 2020, fell during pandemic onset](#)
- [Phillips Murrah announces 61 attorneys named to 2021 Best Lawyers lists](#)
- [Potential Legal Recourse for COVID-19 Losses](#)
- [Phillips Murrah announces 48 attorneys named to 2020 Best Lawyers list](#)
- [Avoiding a bankruptcy clawback: shield your business payments](#)
- [Phillips Murrah announces 44 attorneys named to 2019 Best Lawyers list](#)
- [Why Weinstein Company's Creditors Hired Bankruptcy Counsel](#)
- [SCOTUS overturns structured bankruptcy dismissal in favor of payment priority rules](#)
- [Medical bankruptcies likely to rise](#)
- [Firm hosts Halloween Party to raise money for Harvest Food Drive](#)
- [Workouts a good option: Companies in financial hardship have alternative to bankruptcy](#)
- [What are involuntary bankruptcies?](#)
- [Bankruptcy as a backdrop](#)
- [Phillips Murrah names four new Directors and Shareholders](#)

- [Who gets Grandma's Twitter? Ownership, rights to Internet-based materials](#)
- [Avoiding the b-word: The many faces of financial restructuring](#)
- [Phillips Murrah law firm forms new partnership](#)