

## Curriculum Vitae

Updated as of July 2011

**ENRIQUE “RICK” RODRIGUEZ JR.**

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### **I. Qualifications & Present Position**

Mr. Rodriguez is the founder and principal of *Rodriguez and Associates Advisory Group (“R&A”)*, a Los Angeles based consultancy firm that has provided a unique array of services to its clients since 1992. For the past 19 years, R&A has successfully formulated creative resolutions to complex multi-party debtor-creditor transactions in judicial and non-judicial settings. Additionally, R&A offers a variety of value added services including, but not limited to the following:

- Civil litigation support including expert witness testimony in the fields of banking, finance and real estate. Mr. Rodriguez has also been highly successful in calculating “fair and equitable” rates of interest within the meaning of cram down requirements.
- Real Estate brokerage
- Real Estate finance and project feasibility
- Consulting services to financial institutions including portfolio risk analysis and potential lender liability exposure
- Debt restructure and workout solutions
- Site identification
- Capital procurement
- Broker’s Opinion of Value

R&A has added value in matters aggregating in excess of \$6 billion to hundreds of clients throughout the United States. As described in detail below, R&A’s typical client base consists of real estate development companies, government organizations, not for profit organizations, commercial banks, service companies (public and private sectors) and a variety of law firms.

### **Real Estate Finance and Development**

#### *Consulting Services*

Utilizing its unique insight and understanding of financial institutions R&A has generated millions of dollars for real estate investors, lenders and developers during troublesome and prosperous times. Through R&A’s formulation and implementation of creative work-out strategies and debt restructures, parties have benefited from avoidance of litigation and asset retention. These highly effective plans have been successful in both judicial and non-judicial reorganizations. In times of prosperity, R&A consults with its investor, borrower and developer clientele regarding the financial feasibility of new market opportunities and capital procurement.

#### *Brokerage Services*

Mr. Rodriguez is a licensed real estate broker who utilizes contacts in the mortgage market to procure capital for portfolio acquisitions, real property purchases and asset re-financing.

Representative developer and investor clientele have included Maguire Thomas Partners, Kilroy Industries, Peninsula Beverly Hills, St. John’s Hospital and Medical Plaza, The Carson Companies, Oltmans Investment Company, Green Dot Educational Project, Jerry Moyes and Lee Chesnut.



## **Commercial Banks and Service Companies**

### *Debt Restructuring and Workouts*

R&A combines its knowledge of the financial industry (inclusive of its regulatory and capital constraints) with its experience advising debtors, investors and their respective counsel to provide creditors with effective loan work out strategies. R&A's advice will consider all remedies as well as potential lender liability claims. This unique resource to creditors is available for single loans or entire lending portfolios whether comprised of basic or complex credits.

### *Consulting Services*

R&A has performed specific due diligence assignments including project feasibility, financial analysis, file reviews, and other consulting services involving the creation of loan servicing and REO departments. Mr. Rodriguez has consulted as to the determination of bid prices for large loan and REO pools and the formulation and implementation of collection strategies for troubled loans. Mr. Rodriguez has introduced his banking clientele to a variety of qualified bidders for loan and asset dispositions, along with new customers seeking to establish depository and lending relationships.

Representative bank and service company clientele include: Bank of America, ING Bank, Bankers Trust Securities Co., Far East National Bank, East West Bank, Orange Community Bank, Uniti Bank, and Jennings & Levy, Co.

## **Government and Not-for-Profit Organizations**

### *Site Analysis and Acquisition*

As part of a specialized engagement from 2000 through 2002, Mr. Rodriguez served as a Consulting Senior Facilities Executive for the Los Angeles Unified School District ("LAUSD"), responsible for three of the LAUSD's eleven mini-districts. Mr. Rodriguez was hired to formulate and implement solutions to complex real estate challenges and to locate and acquire sites for new schools in dense urban areas such as East Los Angeles, the South East Cities and South Central Los Angeles. Fluent in Spanish, Mr. Rodriguez constantly interacted with the Hispanic community and worked with all levels of elected officials, and local leaders to designate sites for 33 schools, or 38% of the LAUSD's 2002 building program. R&A utilized creative techniques from the private sector (such as option agreements, a land bank, joint-use agreements, and land swaps) to save the District millions of dollars in site acquisition costs. After departing from the LAUSD in 2002, Mr. Rodriguez continued to provide site selection and acquisition services to various charter schools.

### *Pro Bono*

Using his expertise in finance and real estate, Mr. Rodriguez frequently provides consulting services, litigation support and/or expert testimony on a pro bono basis in cases brought against predatory lenders and perpetrators of foreclosure rescue scams. Most noteworthy, is Mr. Rodriguez's recent endeavor to help troubled homeowners restructure their mortgage and save their home by acting as the homeowner's agent and negotiating with the lender. Mr. Rodriguez developed this program in 2009 in an effort to give struggling homeowners an alternative to the many loan modification companies often charging thousands of dollars for loan modifications.



## **Law Firms**

### *Litigation Support*

R&A has worked for numerous national law firms, as well as many premier firms located in California, Arizona, Florida, Minnesota and Georgia, on civil litigation and cases involving Chapter 11 plans of reorganization. Mr. Rodriguez regularly provides litigation support services, assists in the discovery process, drafts production requests, aides in deposition preparation, and prepares financial charts, timelines and other demonstrative trial exhibits.

### *Expert Witness*

Mr. Rodriguez is an experienced expert witness, having given testimony (on behalf of a relatively equal mix of plaintiffs, defendants, debtors and creditors) at jury trials, bench trials, arbitration proceedings, and mediation sessions, by deposition and declaration. With over 21 years of banking experience at all levels from Branch Manager to Bank President, Mr. Rodriguez is well qualified to provide expert opinions in civil cases that involve real estate, credit administration, regulatory compliance, commercial lending, middle-market lending, retail branch operations, corporate banking, audit and consumer finance.

Mr. Rodriguez has provided expert witness testimony on topics that include (among others) standard lending practices, commercial real estate finance, corporate finance, asset based lending, project feasibility, note sales, credit approval, loan administration, regulatory compliance, fraud, and the feasibility of Chapter 11 plans of reorganization inclusive of the appropriate interest rates to be paid on cram downs of secured claims as required for plan confirmation.

## **II. Representative Law Firm Clientele and Litigation Matters**

### *A. Civil Litigation:*

1. Arter & Hadden (San Francisco):
  - Retained by Plaintiff's counsel to provide expert opinions via deposition on the land entitlement process and the feasibility of a commercial condominium conversion
2. Baker & Hostetler:
  - Retained by Defendant's counsel to prepare a private plan of reorganization for a homebuilding company with numerous secured and unsecured creditors where corporate assets were comprised primarily of land in the entitlement and development process
3. Baker, Kenner & Nahra:
  - Retained by Plaintiff's counsel to review federal regulations and survey the market relative to "Greening"
4. Buchalter Nemer:
  - Retained by Defendant's counsel to provide expert testimony regarding standard industry practices in the administration of a construction loan with multiple participants



5. Carlsmith, Ball, Wickman, Case & Ichiki (Hawaii):
  - Retained by Plaintiff's counsel to provide litigation support with regard to construction loan administration, disbursement procedures, and standard banking practices in connection with disputed payment claims on a large commercial real estate project
  
6. Cappello & McCann (Santa Barbara):
  - Retained by Plaintiff's counsel to provide expert opinions by deposition regarding wrongful foreclosure and damages relating to real property financing secured by a large, multi-tenant office building;
  - Retained by Plaintiff's counsel to provide expert opinions by deposition and at an arbitration hearing regarding the benefits provided to borrowers and buyers by instruments which contain assumption clauses;
  - Retained by Plaintiff's counsel to provide expert witness testimony with regard to factoring of a large clothing manufacturer and subsequent replacement financing;
  - Retained by Plaintiff's counsel to provide expert witness testimony with regard to joint venture agreements and financing associated with a technology venture for the development of smart-card services;
  - Retained by Plaintiff's counsel to provide expert witness testimony with regard to a \$22 million line of credit to finance construction of build-to-suit retail stores nationwide;
  - Retained by Plaintiff's counsel to provide litigation support and expert opinions with regard to the financing of a Santa Barbara hotel
  
7. Cappello & Noel (Santa Barbara):
  - Retained by Defendant's counsel to provide expert witness opinions relative to working capital financing and lender liability claims;
  - Retained by Plaintiff's counsel to consult and advise on regulations governing the mortgage lending industry, and standard practices therein
  - Retained by Plaintiff's counsel to provide expert testimony at a class action jury trial regarding mortgage lending and the proclivities of minority borrowers
  
8. Carroll, Kelly, Trotter, Franzen & McKenna:
  - Retained by Defendant's counsel to provide expert witness testimony related to financing of hospitals, title insurance coverage and issues in an insolvency proceeding
  
9. Castro and Associates :
  - Retained by Plaintiff's counsel to provide expert witness testimony regarding the ability of property owner to procure financing for seismic retrofitting of a commercial building
  
10. Chapman, Glucksman & Dean:
  - Retained by Plaintiff's counsel to provide litigation support services with respect to standard banking and credit union depository practices in a case involving embezzlement of funds



11. Cohen & Cotton (Arizona):
  - Retained by Defendant’s counsel to provide assistance in discovery, consulting services and expert opinions by deposition on creditor's rights law and lender liability with regard to an aviation venture, along with inter-related business and personal loans;
  - Retained by Plaintiff’s counsel to provide assistance in discovery, consulting services and expert opinions by declaration on behalf of a publicly traded communications company in litigation involving standard banking practices (*Mr. Rodriguez's testimony was cited in support of the Plaintiff in a published Arizona appellate decision*)
  
12. Cohen Kennedy Dowd & Quigley (Arizona):
  - Retained by Plaintiff’s counsel to provide expert witness opinions with regard to the capital markets and working capital financing that involved a national equipment rental and storage company;
  - Retained by Plaintiff’s counsel to consult and advise regarding industry standards in the administration of a construction loan on residential condominium towers
  - Retained by Defendant’s counsel to develop a workout plan related to a class A office building in Arizona
  - Retained by Defendant’s counsel to negotiate a work out of an aircraft loan
  - Retained by Defendant’s counsel to consult and advise relative to real estate loan work outs and formulate a strategies to avoid litigation and settle multi-million dollar lawsuits on various developments across the western United States
  
13. Cox, Castle & Nicholson:
  - Retained by Plaintiff’s counsel to provide expert opinions by deposition involving the enforcement of a brokerage fee agreement
  
14. Ericksen, Arbuthnot, Kilduff, et al:
  - Retained by Defendant’s counsel to provide expert opinions involving claims related to alleged fraud against a mortgage banking business
  
15. Fenigstein & Kaufman:
  - Retained by Debtor’s counsel to provide consulting services in connection with the restructure of \$12 million in senior and junior debt secured by two retirement homes and a nursing center
  
16. Fitzgerald, Lundberg & Romig:
  - Retained by Defendant’s counsel to provide expert opinions regarding real estate and working capital lending in the agriculture industry
  
17. Foley, Bezek, Behle & Curtis:
  - Retained by Defendant’s counsel to provide expert testimony at jury trial regarding standard lending practices related to factoring and the administration of such loans
  - Retained by Defendant’s counsel to provide expert opinions related to standard industry practices in agricultural lending



- Retained by Plaintiff's counsel to provide expert testimony at trial regarding standard practices in the check cashing industry
18. Foley, Bezek & Komoroske ( Santa Barbara):
- Retained by Plaintiff's counsel to provide assistance in discovery, expert opinions via declaration and deposition on standard banking practices relating to acquisition and development financing for 250 acres of land zoned for residential use;
  - Retained by Defendant's counsel to provide expert opinions relative to working capital financing and loan collection practices;
  - Retained by Plaintiff's counsel to provide expert witness opinions regarding loan administration and collection practices related to working capital loans
19. Ford, Walker, Haggerty & Behar:
- Retained by Plaintiff's counsel to provide expert opinions by deposition regarding standard banking practices and the appropriateness of draws under various letters of credit relating to infrastructure financing of a 4,000 lot residential development
20. Frandzel, Robins, Bloom & Csato, LC:
- Retained by Defendant's counsel to provide expert opinions by deposition and at trial regarding standard lending practices for the financing of a forklift dealership guarantor obligations
21. Garrett & Tully:
- Retained by Defendant's counsel to provide assistance in discovery and litigation support for a case involving second trust deeds and other subordinate mortgage instruments secured by seven commercial properties;
  - Retained by Defendant's counsel to provide expert opinions regarding encroachments, feasibility and damages associated with the partial development of a \$6.5 million residential project;
  - Retained by Defendant's counsel to render expert opinions on underwriting and standard banking practices relative to \$8 million in accounts receivable financing and commercial credit to an aerospace parts manufacturer;
  - Retained by Defendant's counsel to provide expert opinions on industry standards in underwriting large acquisition and development loans for special use residential properties
22. Gibson Dunn & Crutcher:
- Retained by Defendant's counsel to provide expert testimony related to the construction financing of a large mixed use project
23. Gray, Cary, Ware & Freidenrich (San Francisco):
- Retained by Plaintiff's counsel to provide expert opinions in a case involving home loan financing and foreclosure proceedings imposed by a nationally recognized home mortgage provider (pro-bono)



24. Greenberg, Glusker, Fields, Claman & Machtinger:
  - Retained by Plaintiff's counsel to provide expert opinions by declaration and deposition regarding real property financing, indemnity and guaranty agreements relating to financing on a large, multi-tenant office building;
  - Retained by Defendant's counsel to provide expert opinions in defense of a lender liability lawsuit involving financing for a multi-tenant office project
  
25. Hinshaw & Culbertson:
  - Retained by Claimant's counsel to consult and opine on the accounting classification of a pool of mortgages
  
26. Homan & Lobb:
  - Retained by Debtor's counsel to provide consulting services and to negotiate the restructure of a commercial loan secured by a 154,000 square foot retail property with substantial toxic contamination
  
27. Howrey:
  - Retained by Plaintiff's counsel to provide litigation support and expert witness testimony in a case involving fraud through a foreclosure prevention scheme (pro –bono)
  
28. Howrey & Simon:
  - Retained by Defendant's counsel to provide consulting services and expert opinions in the defense of lender liability and fraud claims asserted with relation to a bulk loan sale and specifically regarding a \$25 million note secured by a multi-family property
  
29. Jeffer, Mangels, Butler & Marmaro:
  - Retained by Defendant's counsel to prepare a private plan of reorganization for a homebuilding company with numerous secured and unsecured creditors where corporate assets were comprised primarily of land in the entitlement and development process;
  - Retained by Owner's counsel to provided consulting services on a matter involving a major restaurant chain and the sale of a retail center subject to encumbrances
  
30. Jones Skelton & Hochuli (Arizona):
  - Retained by Defendant's counsel to provide expert testimony related to prepayment penalties and yield maintenance clauses in commercial real estate finance
  
31. Katten, Muchin, Zavis & Weitzman:
  - Retained by Defendant's counsel to provide expert opinions by deposition regarding a lender's enforcement of a guarantor's obligations subsequent to a bank's foreclosure on a 60,000 square foot office building securing a \$13 million loan



32. Keesal, Young & Logan:
  - Retained by counsel representing Investor in an arbitration proceeding to consult, advise and provide expert opinions relative to the restructure and work out of real estate credits
33. Koletsky, Mancini, Feldman & Morrow:
  - Retained by Defendant's counsel to provide expert opinions regarding standard banking practices related to the processing of payments made to lines of credit
34. Kutak Rock:
  - Retained by Defendant's counsel to provide expert testimony relative to standard industry practices in consumer credit underwriting
35. Lamb & Kawakami:
  - Retained by Plaintiff's counsel to provide expert testimony related to standard practices in the banking industry relative to demand deposit accounts
36. Leavitt, Sully & Rivers (Las Vegas):
  - Retained by Defendant's counsel in an arbitration proceeding dealing with the workout of debt secured by multiple car dealerships in Nevada
37. Levene & Eisenberg:
  - Retained by Plaintiff's counsel to provide litigation support, consulting services and expert opinions by deposition regarding standard banking practices and a creditor's damages associated with an equity line of credit aggregating over \$20 million secured by fourteen real estate projects
38. Mahaffey & Associates:
  - Retained by Plaintiff's counsel to provide expert opinions by deposition and at jury trial related to standard banking practices, loan approval and the wrongful foreclosure on real property
39. Mathew & Mathew (Arizona):
  - Retained by Defendant's counsel to provide expert opinions by deposition and at trial related to standard banking practices, construction lending and the workout process for loans secured by a phased master-planned residential community
40. Law Offices of Michael Flynn (San Francisco):
  - Retained by Plaintiff's counsel to provide litigation support and consulting services in connection with lender liability litigation involving a \$13 million loan secured by an apartment building in San Francisco, CA
41. Miller Shackman & Beem (Chicago):
  - Retained by Plaintiff's counsel to provide expert testimony on standard practices in construction financing and the use of retentions



42. Miller, Star & Regalia (Walnut Creek):
  - Retained by Owner's counsel to provide consulting services in connection with a chemical company's efforts to procure financing for the acquisition of its plant
43. Meyer, Hendricks & Bivens (Arizona):
  - Retained by Plaintiff's counsel to provide expert witness testimony with regard to Off-Balance Sheet SPE financing provided to a national restaurant chain
44. Moss & Barnett (Minnesota):
  - Retained by Defendant's counsel to provide litigation support and expert testimony at jury trial involving fraud in mortgage warehouse lending and the warehouse lender's purported reliance on audited financial statements
45. Mullen & Henzell (Santa Barbara):
  - Retained by Defendant's counsel to provide litigation support and expert opinions regarding industry standards in the underwriting of construction loans on a high end residential development.
46. Munger, Tolles & Olson:
  - Retained by Owner's counsel to provide consulting services related to the workout of over \$20 million in senior and subordinate real estate financing and the restructure of a partnership agreement containing over 50 constituents
47. Neufeld Law Group:
  - Retained by Defendant's counsel to consult and advise relative to real estate construction lending and work out strategies related to such loans
48. Owens & Goch Ray:
  - Retained by Plaintiff's counsel to provide expert opinions related to acquisition financing for convalescent and guest home facilities
49. Peterson, Weyand & Martin (San Francisco):
  - Retained by Plaintiff's counsel to provide expert opinions in a case involving home loan financing and foreclosure proceedings imposed by a nationally recognized home mortgage provider
50. Pillsbury, Winthrop:
  - Retained by counsel to a LLC Member in a dispute over a development of a residential master-planned community and related \$35 million revolving line of credit
51. Poli and Ball (Arizona):
  - Retained by Plaintiff's counsel to provide expert opinions as it relates to standard banking practices in lending, work-out and exercise of remedies in connection with a construction loan on a multi use project



52. Prenovost, Normandin, Bergh & Dawe:
- Retained by Plaintiff's counsel to provide expert testimony at a bench trial regarding participations in construction loans and the workout thereof
  - Retained by Plaintiff's counsel to provide expert testimony at jury trial regarding standard industry practices in construction lending and the participation of said loans
53. Roberts & Associates:
- Retained by Defendant's counsel to provide litigation support in a case involving working capital financing provided to a technology company
54. Ropers Majeski Kohn & Bentley (San Francisco):
- Retained by Defendant's counsel to provide expert testimony related to credit reporting associated with credit card fraud;
  - Retained by Defendant's counsel to provide expert testimony related to the charge off and credit reporting thereof in a consumer bankruptcy case;
  - Retained by Defendant's counsel to provide expert testimony in a case involving the repossession of a high end automobile
55. Rogers & Sheffield (Santa Barbara):
- Retained by Defendant's counsel to provide litigation support and consulting services surrounding the settlement of various judgments obtained by a major bank in connection with various loans aggregating \$5 million secured by real estate, crops and otherwise unsecured debt
56. Ross, Sacks & Glazier:
- Retained by Plaintiff's counsel to provide assistance in discovery, consulting services and litigation support with respect to the mismanagement of a testamentary trust which involved development, financing and management of various income properties
57. Roshka DeWulf and Patten (Arizona):
- Retained by Defendant's counsel to provide litigation support and expert testimony on commercial and consumer loan underwriting standards
58. Roshka, Heyman & DeWulf (Arizona):
- Retained by Defendant's counsel to provide expert opinions by deposition relative to lending and collection practices that involved financing secured by a private aircraft
59. Saltzburg, Ray & Bergman:
- Retained by Limited Partner's counsel to provide a feasibility analysis related to the proposed development of a \$50 million master-planned residential community



60. Sedgwick, Detert, Moran & Arnold (Los Angeles):
- Retained by Defendant's counsel to provide an expert witness report and testimony in federal court with regard to alleged losses in excess of \$150 million on eight acquisition and development loans secured by residential land in various stages of entitlements;
  - Retained to provide a litigation support services with regard to the evaluation of claims associated with foreign trade accounts receivable financing;
  - Retained to provide litigation support services with regard to the evaluation of claims associated with financial institution losses alleged to have stemmed from check kiting by a telecommunications company and manipulation of customer accounts by a branch manager;
  - Retained to provide litigation support services with regard to \$60 million in accounts receivable financing for a company involved in the sale of perishable goods;
  - Retained by Defendant's counsel to provide expert opinions regarding consumer lending and collection practices;
  - Retained by Defendant's counsel to provide expert opinions in arbitration related to the encashment of fraudulent checks;
  - Retained by Defendant's counsel to provide an expert report regarding a credit union's internal controls following repossession fraud committed by an employee
  - Retained by Defendant's counsel to provide expert opinions regarding standard practices for credit unions in processing wire transfers
61. Sedgwick, Detert, Moran & Arnold (San Francisco):
- Retained by Defendant's counsel to consult, advise and provide expert testimony in a matter involving commercial real estate finance
62. Sedgwick, Detert, Moran & Arnold (Irvine):
- Retained by Plaintiff's counsel to provide expert testimony on standard practices in construction financing and the use of retentions
  - Retained by Defendant's counsel to provide expert testimony by declaration regarding standing banking practices relative to automated check processing
63. Sheppard, Mullin, Richter & Hampton(Los Angeles):
- Retained by Plaintiff's counsel to provide litigation support services and expert witness testimony with regard to repurchase agreements triggered by mortgage fraud;
  - Retained by Plaintiff's counsel to provide litigation support services and expert testimony with regard to standard lending practices in the construction financing of a high rise residential apartment project
64. Sheppard, Mullin, Richter & Hampton (San Diego):
- Retained by Defendant's counsel to provide expert witness testimony by deposition relative to a yield maintenance provision in a commercial real estate loan agreement (San Diego);



65. Shughart, Thompson & Kilroy (Arizona):
  - Retained by Plaintiff's counsel to provide expert witness opinions by deposition in a case involving the termination of a loan commitment issued for the acquisition of a 16-franchise restaurant chain
66. Smith & Rendon:
  - Retained by Plaintiff's counsel to provide expert witness testimony in a case involving the financing of contaminated real property
67. Stradling, Yocca, Carlson & Rauth:
  - Retained by Defendant's counsel to provide litigation support and consulting services related to a disputed sale transaction and \$2.5 million in real estate financing
68. Sutherland, Asbill & Brennan, LLP (Georgia):
  - Retained by Defendant's counsel to provide litigation support and expert testimony in a jury trial involving a fraud perpetrated by a Florida perfume distributor on a bank syndicate that had extended a \$60 million account receivable line of credit and the syndicates purported reliance on the company's audited financial statements
69. The Law Offices of Thomas. Kelly (Santa Rosa):
  - Retained by Plaintiff's counsel to provide expert witness testimony related to regulatory compliance issues in indirect automobile financing by a credit union
70. Weston Benshoof:
  - Retained by Plaintiff's counsel to provide expert opinions related to acquisition financing for convalescent and guest home facilities
71. Williams & Kilkowski:
  - Retained by Defendant's counsel to provide litigation support and consulting services in defense of a lender liability lawsuit in connection with financing on an automotive site
72. Wulfsbert, Reese, Colvig & Firstman:
  - Retained by Defendant's counsel relative to standard lending and collection practices on resort properties

*B. Bankruptcy Matters:*

1. Allen, Matkins, Leck, Gamble & Mallory:
  - Retained by Debtor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest and feasibility for a reorganization including a \$1.8 million loan secured by a retail center. *Result: for Debtor, plan confirmed;*
  - Retained by Creditor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest and opposition to a reorganization



- including a \$500,000 loan secured by an apartment project (*Result: for Creditor, relief from stay granted*);
- Retained by Debtor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest in support of reorganization involving an \$8 million loan secured by land in the entitlement process with issues related to both the Coastal Commission and environmental remediation (*Result: for Debtor, rate confirmed*)
2. Foley, Bezek & Komoroske:
    - Retained by Debtor's counsel to provide consulting services involving the extension of commercial credit to, and corporate borrowings by, a construction company which had filed for Chapter 11 protection (*Result: jury verdict for Debtor*)
  3. Gumport, Reitman, & Montgomery:
    - Retained by the U.S. Trustee to provide expert opinions at the bench trial regarding equitable subordination and other aspects of multi-party litigation asserted in *Real Estate of Bruce McNall* (*Result: judgment in favor of the U.S. Trustee*)
  4. Jeffer, Mangels, Butler & Marmaro:
    - Retained by counsel for a secured creditor to provide expert witness testimony by declaration and at trial on a matter involving the repair and renovation of a condominium complex
  5. Levene, Neale & Bender:
    - Retained by Debtor's counsel to provide expert opinions via declaration on market rates of interest and plan feasibility for the reorganization involving a \$5.9 million first trust deed secured by a 142 unit apartment building (*Result: for Debtor, plan confirmed*);
    - Retained by Debtor's counsel to provide expert opinions by declaration on interest rates and feasibility for a reorganization including approximately \$5 million in real estate and manufacturing assets (*Result: for Debtor, plan confirmed*)
  6. Orrick, Herrington & Sutcliffe:
    - Retained by Creditor's counsel to provide expert testimony in opposition to Debtor's plan which involved a cram-down of a secured creditor with a \$30.7 million A&D loan on a former brown-field site which was in the process of being remediated and developed into 640 residential lots (*Result: Case settled prior to confirmation hearing*)
  7. Routh, Crabtree & Olson (Washington State)
    - Retained by counsel for secured creditor to provide expert opinions related to a fair and equitable rate of interest in a Chapter 11 cram down scenario
  8. Sheppard, Mullin, Richter & Hampton:
    - Retained by Creditor's counsel to provide expert opinions on lender liability, damages and valuation in defense of lender liability claims and bankruptcy



litigation surrounding the partial completion of a \$30 million apartment complex  
(*Result: settlement by the parties*)

9. Stutman, Treister & Glatt:
  - Retained by Debtor's counsel to provide expert opinions by declaration and at bench trial regarding market rates of interest, indubitable equivalent collateral and feasibility of a reorganization involving numerous commercial properties in New York (*Result: for Debtor, plan confirmed*);
  - Retained by Debtor's counsel to provide expert opinions by declaration and at bench trial regarding market rates of interest and feasibility for a reorganization involving \$10 million of financing secured by several retail automobile dealerships (*Result: for Debtor, plan confirmed*)
10. Law Offices of Michael Weiner:
  - Retained by Debtor's counsel to provide expert opinions by declaration in support of a reorganization involving a \$5.4 million first trust deed secured by a 135 unit apartment building (*Result: for Debtor, plan confirmed*)
11. Winston & Strawn:
  - Retained by counsel to trustee in bankruptcy to provide expert opinions related to commercial credit underwriting standards

### III. Work Experience

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|-----------------|--|
| 1992 to Present | Principal, Rodriguez & Associates Advisory Group, Los Angeles, California  |
| 2006 to 2008    | President/Chief Credit Officer, Banco Buena Ventura, Oxnard, California <ul style="list-style-type: none"><li>○ Approved by California's Department of Financial Institutions and the FDIC as both President and Chief Credit Officer, Mr. Rodriguez created a business plan tailored to the Hispanic population that focused on bringing the un-banked into the mainstream banking system.</li></ul>  |
| 1990 to 1992    | Senior Vice President/Division Administrator, Real Estate Special Assets, Security Pacific National Bank/Bank of America, Los Angeles, California <ul style="list-style-type: none"><li>○ Responsible for the supervision, administration and collection of a classified loan portfolio of approximately \$1.6 billion in total commitments centered in ten relationships</li></ul>  |
| 1987 to 1990    | First Vice President, Regional Manager/Real Estate Industries Group, Security Pacific National Bank, Los Angeles, California <ul style="list-style-type: none"><li>○ Responsible for the supervision, origination, and administration of a loan portfolio aggregating \$1 billion in outstanding commitments</li></ul>   |
| 1986 to 1987    | First Vice President, Deputy Administrator, and Credit Officer/Real Estate Industries Group, Security Pacific National Bank, Los Angeles, California <ul style="list-style-type: none"><li>○ Responsible for credit policies, evaluation and approval for a \$6 billion residential/commercial real estate portfolio originated by lending offices throughout the state of California. Personal credit approval authority of \$15 million.</li></ul> |



- 1984 to 1986 Vice President, Regional Manager, Real Estate Industries Group, Security Pacific Bank, Riverside, California
- Responsible for the establishment and operation of the Riverside Regional Office for the California Real Estate Industries Group. Mr. Rodriguez facilitated the growth of a construction loan portfolio of \$700 million.
- 1983 to 1984 Vice President/World Corporate Group, Security Pacific National Bank, Los Angeles, California
- Responsible for the administration of a corporate loan portfolio aggregating \$500 million in commitments.
- 1980 to 1983 Vice President/Real Estate Special Assets, Security Pacific National Bank, Los Angeles, California
- Responsible for the restructure and collection of a classified real estate loan portfolio aggregating \$50 million in commitments.
- 1980 Assistant Vice President/Credit Review Department, Security Pacific National Bank, Los Angeles, California
- Responsible for field audits of SPNB and SPC subsidiaries loan portfolios to evaluate risk as well as lending practices throughout the United States.
- 1979 to 1980 Assistant Branch Manager, Security Pacific Bank, Los Angeles, California
- Responsible for branch operations including depository accounts and consumer loans at the Lake & Colorado and Foothill & Rosemead locations.
- 1973 to 1979 Various positions including Branch Manager / Credit Manager / Loan Underwriter / Collection Officer, U.C.B, Bay Area Financial and Liberty Loan.

#### **IV. Teaching**

- 1992 to 2006 Guest Speaker, Finance & Business Economics 570- "Real Estate Asset Management and Workouts," University of Southern California, Graduate School of Business Administration
- 1993 to 2006 Instructor, "Real Estate Finance & Workouts," University of Southern California, Program in Real Estate Finance and Development for Minority Candidates
- 1998 to 1999 Guest Speaker, Finance & Business Economics 570- "Real Estate Finance and Investment," University of Southern California, Marshall School of Business
- 1992 to 1994 Instructor and Guest Speaker, "Real Estate Loan Originations and Workouts," Workouts and Bankruptcies, UCLA Extension



1992 to 1993                   Instructor, "Real Estate Finance & Workouts," University of Southern California, Executive Program, Graduate School of Business Administration

1993                               Instructor, "The Banker's Business," CB Commercial, Chicago, Illinois

Frequent industry speaker at USC, UCLA, Wharton Business Alumni Association, Claremont Colleges, ICSC, Chicago Title, etc.

**V.     Education**

- Attended University of Mexico City, School of Business

**VI.    Language Skills**

- Mr. Rodriguez is fluent in both written and oral Spanish

**VII.   Professional Affiliations and Organizations**

*Rodriguez and Associates* is affiliated with the following professional organizations:

- Latino Business Chamber of Greater Los Angeles
- University of Southern California Lusk Center Real Estate Family and Friends
- University of Southern California Alumni Association, Marshall School of Business

*Rodriguez and Associates* fulfills its commitment to community through its pro bono efforts as well as its continuing support of following non-profit organizations:

- Andrew Ennabe Foundation
- Autism Speaks
- Breast Cancer Awareness
- Mexican American Bar Association
- Save the Children
- USC Marshall School of Business Alumni Association

**VIII. Personal**

Mr. Rodriguez is a humanitarian, husband and father to three children. In his free time Mr. Rodriguez enjoys traveling with his family, playing golf, fly fishing and snow skiing.

