



J. Michael Fields

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Professional Experience

Michael leads the Health Care practice. He counsels physicians, hospitals, and other health care providers on regulatory, compliance, and transactional matters. He represents all types of closely-held businesses and their owners on such issues as the formation of business entities, financing transactions, and the merger, acquisition, and sale of businesses. Additionally, Michael advises banks, automobile and tractor finance companies, shopping center owners, homeowners' associations, and suppliers in the agricultural and construction industries on financing transactions, workouts, bankruptcies, foreclosures, and collections. His bankruptcy practice is focused on the representation of creditors in contested plan confirmation, relief from stay, cash collateral, lease assumption and assignment, fraudulent transfer, and preference litigation.

Michael also provides mediation services in bankruptcy cases. His mediation training includes the acclaimed 40-hour American Bankruptcy Institute/St. John's University School of Law Bankruptcy Mediation Training Program held in New York.

He has been rated by his peers as "preeminent" in his respective fields of law.

Practice Concentrations

Health Care Regulatory Issues

Contract Negotiation and Drafting

Business Transactions

Bankruptcy

Collections

Foreclosures

Loan Workouts

Education

J.D., *with honors*, The University of North Carolina School of Law, 1991. North Carolina Journal of International Law and Commercial Regulation.

B.S., Business Administration, The University of North Carolina at Chapel Hill, 1988

Admitted to Practice

North Carolina, 1991

Georgia, 2015

All state courts in North Carolina

All state courts in Georgia

United States Bankruptcy Court for the Eastern, Middle, and Western Districts of North Carolina

United States Bankruptcy Court for the Middle and Southern Districts of Georgia

Honors and Distinctions*

The Best Lawyers in America, 2018 - 2021



Representative Experience

Representation of the purchaser in a \$1 million asset purchase of a dental practice

Representation of the purchaser in a \$10 million purchase of the assets of a medical practice and a majority interest in an ambulatory surgery center

Representation of the seller in a \$12 million asset sale of a medical practice and diagnostic imaging center

Representation of an anesthesia practice in connection with an exclusive professional services arrangement with an ambulatory surgery center

Representation of a medical practice in obtaining a "no review" letter from the Healthcare Planning and Certificate of Need Section for the replacement of an MRI scanner

Representation of a medical practice in analyzing potential fee-splitting, self-referral, and anti-kickback issues associated with a joint venture proposed by a third party laboratory

Representation of the lender in a \$2 million loan to finance the acquisition of a tenant-occupied retail wireless store

Representation of the borrower in a \$32 million senior secured financing and a \$15 million secured mezzanine financing to refinance existing debt and to fund additional working capital and the acquisition of 50 retail wireless stores

Representation of the borrower in a \$70 million asset-based revolving line of credit made to fund the floor plan financing of tractor dealerships

Representation of an agricultural supplier in obtaining and collecting a \$200,000 judgment against a commercial farming operation

Representation of an agricultural supplier in connection with the attempted workout of \$8 million in troubled credit and the eventual Chapter 11 bankruptcy of a large farming operation

Representation of a grain dealer in defense of bankruptcy preference litigation in the bankruptcy case of another grain dealer

Reported Decisions

Outer Banks Contractors, Inc. v. Daniels & Daniels Const., Inc.- 433 S.E.2d 759 (N.C. Ct. App. 1993)

First-Citizens Bank & Trust Co. v. Cannon - 530 S.E.2d 581 (N.C. Ct. App. 2000)

First-Citizens Bank & Trust Co. v. Four Oaks Bank & Trust Co. - 576 S.E.2d 722 (N.C. Ct. App. 2003)

St. Regis of Onslow County, N.C. Owners Ass'n v. Johnson- 663 S.E.2d 908 (N.C. Ct. App. 2008)

Professional and Community Affiliations

American Health Lawyers Association

North Carolina Society of Health Care Attorneys

North Carolina Bar Association — Sections: Health Law; Business Law; Bankruptcy Law

American Bankruptcy Institute

Community Associations Institute

Arendell Parrott Academy (board of trustees 2005-2011)

Eastern North Carolina Inn of Court

Kiwanis Club of University City (president 2004-2005)

** Please see the following websites for an explanation of the membership standards for the following recognitions: www.bestlawyers.com; businessnc.com/special-sections/legal-elite/; and www.superlawyers.com/north-carolina.*