

# DAVID A. JONES, JD, LL.M., CPA

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## EXECUTIVE SUMMARY

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Chief Financial Officer and Strategic Business Executive with 15+ years of proven achievement driving solid revenue and bottom-line gains through expert financial, legal, and operational contributions to merger and acquisition transactions, new business development, turnaround operations, and high-growth ventures. Quantifiable results in the areas of:

Negotiations • Board/Investor Relations • Effective Communications  
Cost Containment • Integration Planning • Results Analysis • System Conversions/Upgrades  
Public/Private Infusions • Equity/Debt Financings • Financial Reporting

Aggressive, results-focused, strategic leader offering a rare blend of operations, financial, and legal expertise producing extraordinary financial gains and meeting operational objectives. Led dynamic growth and expansion efforts for investments of Goldman Sachs and other investment firms. Championed bankruptcy workouts and business turnarounds. Full P&L responsibility for multiple divisions in multi-million-dollar organizations. Intrinsic leadership skills fostering top performance and efficiency through team-focused strategies and financial accountability.

## PROFESSIONAL EXPERIENCE AND ACHIEVEMENTS

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### VICE PRESIDENT, LEGAL AND BUSINESS SERVICES (2000 – present)

#### **Pacific Healthcare Corporation**, Denver, Colorado

Spearheaded aggressive financial, legal, and operational turnaround for the nation's second largest supplier of infusion therapies. Streamlined and maximized budgetary accountability for \$75 million in legal affairs, merger and acquisition activities, business development, SEC reporting, human resources, compliance, risk management, and administrative departments.

- Achieved and surpassed investor EBITDA and capital/debt restructuring goals.
- Initiated, negotiated, and closed \$230+ million of capital restructurings at critical stages of the bankruptcy workout.
- Delivered a 23% EBITDA increase through combined M&A revenue enhancements and cost reductions.
- Enhanced cash flow 13% and contribution margins 9% by restructuring multiple departments for improved efficiencies.
- Infused business with \$41.5 million cash by leading divestiture of non-accretive divisions.
- Negotiated a successful \$18+ million resolution of \$28+ million in tax liens
- Produced 7% shift in core business and revenue quality through trend analysis and deployment of a benchmarking financial model to branch operations.

### SVP BUSINESS AND LEGAL AFFAIRS / CHIEF FINANCIAL OFFICER (1998 – 2000)

#### **Exchange**, Atlanta, Georgia

Achieved financial, legal, and operational goals for this telecommunications e-business startup. Raised venture capital and implemented core business strategies focusing on cash flow, M&A activities, return on investments, business line mix, and same-store EBITDA levels. Led business development initiatives for an aggressive marketing strategy that created new distribution channels for product lines.

- Strengthened cash position by leading \$75+ million in business development efforts and divestiture of multiple websites and by transferring intellectual property for publishing and pharmacy-based businesses.
- Accelerated return on investment from 3.6% to more than 28%, dramatically exceeding investor goals and building momentum for the eventual sale of the company to a strategic partner with full payout to investors.
- Raised financings for senior and subordinated mezzanine debt restructurings required for merger of an insurance-based business utilizing discounted cash flow valuation analysis.
- Brought the company from the brink of bankruptcy by structuring the workout of payroll tax liens, realigning staff functions, and negotiating favorable arrangements with vendors.

- Championed five-fold increase in EBITDA, 20% improvement in receivable collections, and 33% enhancement of inventory turns, achieving business turnaround despite rapidly decreasing cash flows (high growth, low margins) and culminating in a profitable exit event for investors.
- Ensured SEC compliance and registration of an IPO offering. Minimized operational challenges associated with post-closing integrations by consolidating all due diligence efforts.

**SENIOR VICE PRESIDENT, FINANCIAL AND LEGAL AFFAIRS / GENERAL COUNSEL (1992 – 1998)****Mercury Corporation**, Memphis, Tennessee

Led team efforts for expansion and integration planning, including consolidation of financial, operational, and administrative functions for the nation's largest home healthcare company with 12,000+ employees and \$500+ million in revenues. Negotiated and closed 75+ M&A transactions for management services divisions, producing debt/equity infusions. Consolidated \$50+ million budgetary responsibility for financial services, marketing, legal, back office, and administrative departments.

- Spearheaded strategic three-year expansion for 350+ locations in 34 states and three countries by developing effective M&A growth strategies, leading due diligence, and reducing integration timelines to less than 150 days.
- Orchestrated \$500+ million industry consolidation/merger through negotiations with industry leaders and alignment of investor and shareholder objectives.
- Reduced costs 15% by introducing stringent resource management and budgeting policies, reorganizing the sales force, and eliminating unproductive administrative support functions.
- Negotiated and closed \$250 million syndicated debt restructuring and \$85 million equity capitalizations.
- Decreased Medicare denials 13+% as chair of the Compliance and Risk Management Committees with rollout of improved financial reporting guidelines to all branch operations.
- Led successful integration of financial and telecommunications arrangements across more than 200 locations.

**SENIOR ASSOCIATE / FIRST-LEVEL PARTNER (1990 – 1992)****Boyd Jones, LLC**, Memphis, Tennessee

Directed and implemented complex capital/debt financings and restructurings, consolidations, divestitures, public and private stock placements, and M&A transactions. Provided counsel and led legal compliance initiatives, litigation strategies, executive compensation, and intellectual property and employment law issues. Furthered SEC reporting experience.

- Piloted \$250+ million merger of hospital chains involving complex bond restructuring requirements.
- Charted a successful \$50+ million expansion of Canadian and Latin American transportation business lines.
- Structured and navigated workout of a commercial carrier logistics-based company.

**SENIOR ASSOCIATE (1988 – 1990)****Scruggs & Colerick, LLC**, Memphis, Tennessee

Directed commercial litigation, securitizations, SEC filings, and healthcare issues. Negotiated and consummated commercial, tax, and M&A arrangements, offerings, compliance, and intellectual property issues. Represented clients before federal and state courts and regulatory agencies.

- Maneuvered negotiations and closing for a \$25+ million nationwide franchising program.
- Managed troubled debt restructurings and bankruptcy court filings for multiple clients.
- Drafted \$100+ million multinational purchase/sales export agreements for expansion of business lines into Japan, Mexico, and Latin America.

**TAX SENIOR (1985 – 1988)****Cooper's & Lybrand**, Memphis, Tennessee

Conducted legal and financial analysis of mergers and acquisitions for national banks and financial institutions. Negotiated stock/debt offerings and placements and valuation opinion letters. Led projects for \$100+ million equity/debt infusions. Negotiated IRS settlement through bifurcation of tax attributes for real estate syndications. Directed financial assignments focusing on debt restructurings and SEC due diligence efforts. Represented clients before the IRS and state tax agencies.

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**EDUCATION**

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**LL.M. IN TAXATION (1988)**

**Washington University School of Law**, St. Louis, Missouri

**JURIS DOCTOR (1985)**

**University of Memphis School of Law**, Memphis, Tennessee

**BACHELOR OF ARTS, PSYCHOLOGY AND ACCOUNTING (1982)**

**Christian Brothers University**, Memphis, Tennessee

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**AFFILIATIONS AND PUBLICATIONS**

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<b>Certified Public Accountant</b>	1989, 250+ hours Continuing Education Units (CEU)
<b>Tennessee Bar Association</b>	1985 – 2001, Young Lawyers Division, Chairman of Child Waiting Room Project, Chairman of Oversight Committee, ADR Section
<b>Author</b>	“Keeping the Secret in Trade Secrets,” (April 1997), <i>ACCA Magazine</i>
<b>Speaker</b>	Financial Statements for Nonfinancial Attorneys, Trade Secret Protection, M&A Planning, Integration Activities and Timelines: Application Service Provider Issues and Practical Solutions
<b>Community Relations</b>	Homeowners Association, First Vice President (2001 – 2002) Chaired homeowners committee for county government board (1998 – 1999) United Way representative (1995 – 1997) Child Witness Waiting Room, county government liaison (1995 – 1996) Big Brothers representative (1992 – 1995)