



# Sigmund Fleck

PARTNER  
West Chester, PA

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## SERVICE AREAS

Bankruptcy  
Business and Finance  
Business and Real Estate Transactions  
Business Counseling  
Mergers and Acquisitions  
Commercial Credit Recovery and Workout  
Commercial Credit Structuring  
Employment Law  
Premises Liability and Tort Defense  
Special Education Law

## INDUSTRIES

Non-Profits  
Food and Beverage  
Education  
Technology  
Real Estate  
Professional Services  
Media  
Manufacturing  
Insurance  
Hospitality  
Government  
Banking and Financial Services

## EDUCATION

## Overview

Sigmund J. Fleck has an extensive background representing creditors in all aspects of commercial and private banking lending and loan documentation, as well as loan workouts, collection, bankruptcy, and lender liability matters. Sigmund also provides counsel and advocacy services to a wide range of closely held businesses and professionals on topics including corporate compliance, financing, entity formation, employment disputes, partnership disputes, equipment leasing issues, and complex commercial transactions and litigation. Sigmund regularly represents commercial insureds dealing with complex losses, and he has significant experience handling stormwater claims in that arena. He has represented clients in appellate matters before the United States Court of Appeals for the Third Circuit, the Pennsylvania Supreme Court, Commonwealth Court and Superior Court, as well as the Superior Court of New Jersey, Appellate Division.

Sigmund has conducted numerous jury trials, bench trials, commercial arbitrations, and hearings, and has received a Martindale Hubble AV peer review rating. He regularly provides advocacy and counseling services to Approved Private School clients in special education matters, general school law, human resources and employment, as well as general legal matters, and he has extensive experience representing municipal entities in litigation, with a concentration in handling disputes stemming from waste water management contracts.

Sigmund served in the United States Navy for 21 years, retiring as a Commander in 2008.

## ASSOCIATIONS AND ORGANIZATIONS

- Chester County Bar Association
- East Goshen Township Zoning Hearing Board
- Executive Board of the Boy Scouts of America's Chester County Council, Vestry of St. Francis in the Fields Episcopal Church, Willistown Township

## EXPERIENCE

- Obtained verdict and complete recovery on conversion claim resulting from sale of bank collateral.
- Obtained precedential decision affirming the continued vitality of the absolute priority rule in personal Chapter 11 bankruptcy cases on behalf of the creditor.

Temple University School of  
Law, J.D., 1995

Indiana University  
Bloomington, B.A., 1986

## ADMISSIONS

United States Court of  
Appeals for the Third Circuit

United States District Court  
for the Eastern District of  
Pennsylvania

United States District Court  
for the Middle District of  
Pennsylvania

United States District Court  
for the District of New Jersey

Commonwealth of  
Pennsylvania

State of New Jersey

- Successfully defended creditor's entry of judgment against attack based on alleged violations of equal credit opportunity act's regulation B.
- Obtained multimillion-dollar judgment against defaulting guarantor and successfully defended judgment before Superior Court.
- Obtained jury verdict in favor of municipal client stemming from breach of Waste Water facilities agreement.
- Obtained dismissal of Chapter 11 case on feasibility grounds.
- Orchestrated successful liquidation of equipment and real estate for defunct millwork company.
- Negotiated favorable municipal settlement of claim stemming from breach of waste water treatment plant operating agreement.
- Negotiated sale and represented lender in successful sale of OREO property.