



Bankruptcy

CONTACT CHAIR

Jami Nimeroff
267.861.5335 Email

PEOPLE

Sigmund Fleck
Scott Klein
Jami Nimeroff

INDUSTRIES

Banking and Financial
Services
Hospitality
Manufacturing
Professional Services
Real Estate
Technology

Overview

FIGHTING FOR YOUR PIECE OF THE PIE

In most commercial bankruptcy matters, there are many parties vying for an asset pie that is too small to satisfy all the creditors. The likelihood of recovering your piece of that pie depends on many variables, and unfortunately, not every creditor will be paid the amount it may be entitled to have. If you are involved in a bankruptcy, you need experienced legal counsel that knows how to maximize recovery or restructuring efforts, so you aren't left without your fair share.

We have decades of experience in representing all types of interested parties in bankruptcy and restructuring matters, with a strong focus on non-debtor representations. We also prosecute and defend litigation arising out of bankruptcy cases, including fraudulent and preferential transfers and related issues. With this unique combination of litigation and transactional expertise, we can move seamlessly between the negotiation table and the courtroom to get you what you deserve.

Our attorneys represent:

- Secured and unsecured creditors looking to recover debts
- Parties looking to maintain or terminate a business relationship with a debtor, such contract counterparties, landlords and tenants
- Parties interested in acquiring assets out of bankruptcy

This deep experience and diverse skillset allow us to maneuver through all the nuances of a complex, multi-faceted bankruptcy to achieve your objectives.

A PRESENCE IN DELAWARE

With an office strategically located in Wilmington, Delaware, where many high-stakes bankruptcy cases are handled, we frequently represent interested parties in cases and act as local counsel for clients and out-of-state law firms.

EXPERIENCE

- Represented major real estate developer in defense of fraudulent transfer litigation seeking recovery of \$20 million arising from the Arthur D. Little bankruptcy case in Massachusetts.
- Successfully obtained dismissal of Chapter 7 corporate bankruptcy case filed in bad faith to avoid a judgment and disposition of property to satisfy the judgment and obtained a significant award of sanctions against the debtor, its principal and counsel.
- Member of team representing the primary lender to Chapter 11 debtors owning and operating New York area airport hotels in bankruptcy cases in Pennsylvania.
- Represented manufacturer in a multi-million dollar asset purchase from a Chapter 11 debtor in Delaware.
- Assisted law firm representing fiduciary in a Chapter 11 bankruptcy case in resolving disputes with government watchdog.
- Secured preliminary injunction for client preventing the disposition of proceeds from the sale of property in anticipation of proof of partnership and request for charging order, and successfully negotiated resolution of dispute after a bankruptcy filing by putative partner.
- 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.
- 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 dismissal of Chapter 11 case on feasibility grounds.
- Orchestrated successful liquidation of equipment and real estate for defunct millwork company.
- Negotiated sale and represented lender in successful sale of OREO property.