

## Bankruptcy and Reorganization

Greenspoon Marder's Bankruptcy and Reorganization Practice Group takes a comprehensive approach to bankruptcy law, drawing on the particular experience of attorneys practicing across our full-service business law firm. Our team focuses on keeping our clients out of the courtroom, because experience has shown that this approach often leads to beneficial results and considerable cost savings for our clients.

Our team has experience in representing:

- Debtors
- Buyers of Assets
- Creditors' Committees (in Court Proceedings)
- Unofficial Creditors' Committees (Out-Of-Court Proceedings)
- Institutional Lenders
- Investors
- Landlords
- Private and Publicly Held Corporations
- Receivers
- Trustees

When reaching an out-of-court settlement is not possible, Greenspoon Marder's Litigation Practice Group has decades of experience in representing bankruptcy clients. Our attorneys routinely appear before the United States Bankruptcy Courts, United States Court of Appeals, United States District Courts and state courts throughout the United States.

### Creditor Representation

Greenspoon Marder's attorneys have experience protecting and preserving the rights of secured, priority, and unsecured creditors. Included among the matters we handle for creditors are:

- Obtaining Relief from Stay/Adequate Protection
- Filing Proofs of Claim
- Contesting Motions to Value Collateral
- Contesting Use of Cash Collateral
- Defending Voidable Transfer Lawsuits Under Bankruptcy Code and State Law
- Prosecuting Dismissal of Bad Faith Bankruptcy Filings
- Prosecuting Denial of Discharge under Section 727 of the Bankruptcy Code
- Prosecuting Non-Dischargeability of Debt under Section 523 of the Bankruptcy Code
- Contesting Plan Confirmation in Chapter 11, 12, and 13 Cases

### Related Areas

- Litigation
- Banking & Finance
- Corporate
- Government Relations

- Public Finance
- Tax

## **News**

- Greenspoon Marder Announces Partnership Promotions in 2024
- Seven Greenspoon Marder Attorneys Recognized by Super Lawyers in Southern California for 2024
- Greenspoon Marder Ranked Among the Best Law Firms by Best Lawyers® for 2024
- Greenspoon Marder Corporate Practice Group Successfully Represents Spring Mountain Vineyard, Inc.
- Greenspoon Marder Partner Elissa Miller Recognized Among the Daily Journal's Top Women Lawyers in 2023
- Greenspoon Marder Partner Elissa Miller Recognized Among Los Angeles Business Journal's Top 100 Lawyers 2023
- Greenspoon Marder Represents Client on Chapter 11 Filing
- Scariest Trends Businesses Are Facing Today
- Greenspoon Marder Partners Elissa Miller and Howard Ehrenberg Selected as Daily Journal's 2022 Top Bankruptcy Lawyers
- Greenspoon Marder Expands Bankruptcy Practice Group With The Addition of Nine New Attorneys in Downtown Los Angeles
- Greenspoon Marder Partner Michael Bakst Selected As A "Top Lawyer" By Jupiter Magazine For 2022
- Eight Greenspoon Marder Attorneys Featured In The 2021 Business Edition of Best Lawyers® "The Litigation Issue"
- Greenspoon Marder Attorneys Recognized In Florida Trend's 2020 "Legal Elite"
- Eight Attorneys From Greenspoon Marder Listed In The Best Lawyers Business Edition 2017

## **Publications**

- Purdue Pharma: The Constitutionality of Third-Party Releases Reaches the Supreme Court
- Scariest Trends Businesses Are Facing Today

## **Meet the Team**

- Michael R. Bakst
- Steve Burnell
- Rilyn A. Carnahan
- Howard M. Ehrenberg
- John L. Farquhar
- Scott J. Fuerst
- Mark F. Grant
- Asa S. Hami
- Mark S. Horoupian
- Evan B. Klinek
- Michael H. Krul
- Daniel A. Lev
- Morris G. "Skip" Miller
- Elissa D. Miller
- Victor A. Sahn
- John L. Shiekman
- Peter D. Slavis
- Mark K. Somerstein
- Barry E. Somerstein
- Alan G. Tippie

- Steven F. Werth

## **Sub-Practices**

### **Financial Recovery**

In response to dramatic shifts in the economic environment, Greenspoon Marder LLP has expanded to assist clients in managing the challenges that the real estate marketplace has presented.

Our attorneys regularly provide legal services and counsel to financial institutions, creditors, receivers, trustees, creditor committees, buyers of distressed assets, Commercial mortgage-backed securities (CMBS) special servicers and investors. Wherever possible, our attorneys strive to resolve creditor issues in an out-of-court workout. Experience has shown that this approach can often lead to beneficial results for our clients with considerable cost savings, over the expense and risk of litigation.

Our team advises clients in evaluating their assets, establishing workout strategies, creating the workout's legal structure, and then negotiating the workout.

Our team routinely handles:

- Chapter 11 Reorganization Proceedings
- Out-of-Court Workout
- Debt Restructuring Proposals to Lenders from Borrowers: Formation and negotiation of debt restructuring proposals on behalf of borrowers and institutional lenders.
- Assignments for the Benefit of Creditor Proceedings: Insolvency proceeding governed by state law, as an alternative to Chapter 11 and Chapter 7.
- State Court Corporate Liquidations: Legal representation of assignees, assignors, creditors and purchasers of assets in assignments for the benefit of creditors.
- Purchases from Distressed Situations: Legal representation of potential purchasers and purchasers of assets from entities and individuals in financial distress, including representation of borrowers and lenders for non-performing debt.
- Creditor Committee Representation: Representation or performance of services for an appointed, unsecured creditors' committee or equity security holders' committee.
- Trustee and Receiver Representation: Legal representation and performance of services for Chapter 7 and Chapter 11 bankruptcy trustees appointed in bankruptcy cases.
- Workout-Related Tax Planning and Consultation: Tax counsel pertaining to debt forgiveness, debt restructuring and exchange of property for debt, as well as creditor use and treatment of tax assets.
- Due Diligence for Non-Performing Assets