

CREDITORS' RIGHTS & BANKRUPTCY

The bankruptcy or insolvency of a business, tenant, vendor, customer, or supplier affects every business at one time or another. Meyers Roman's Creditors' Rights & Bankruptcy attorneys provide counsel to lenders and businesses across a wide range of industries, including manufacturing, professional services, real estate, and construction. We represent creditors in resolving business disputes prior to litigation, and should the dispute move to the next level, we aggressively advocate for our clients in court. In addition, we help our clients create proactive strategies that mitigate the complications of bankruptcy or insolvency to their businesses in the future.

Our attorneys draw on their strong record of achieving positive results in litigating creditors' claims to judgment, including receivership matters, business and contract litigation, fraudulent transfer litigation, and bankruptcy claims. We assist clients with collection matters, receiver representation, obtaining appointment of receivers, and asset recovery. We also counsel clients on post-judgment enforcement measures, such as garnishments, charging orders, judgment liens, replevin actions, foreclosures, and executions against property.

We aggressively represent creditors' interests in bankruptcy litigation matters, such as defending preference claims, preparing proofs of claim, litigating adversary proceedings including objections to discharge, seeking relief from stay, and pursuing asset sales.

Our attorneys have worked on all sides of receivership matters and bankruptcy litigation, giving us a 360-degree appreciation for the issues our clients face in creditors' rights and bankruptcy matters. In addition to our multifaceted experience, we work with our other practice groups to provide the expertise necessary to resolve overlapping matters in the most timely and cost-effective manner possible.

Representative Service

- Pre-insolvency Protection Planning for Businesses
- Receiver Representation and instituting receiverships
- Asset Sales
- Investigation, Discovery, and Recovery of Assets
- Preferential Transfer Defense
- Fraudulent Transfer Prosecution
- Relief from Stay and Abandonment
- Adversary Complaints, including Non-Dischargeability Actions
- Proofs of Claim and Claims Litigation
- Foreclosure Litigation

Representative Matters

- Represented hedge fund in several foreclosure transactions resulting in successful recovery.
- Negotiated the settlement of a million dollar preference claim in a chapter 11 mega case for \$30,000.
- Represented court-appointed receivers in commercial real property receiverships, including shopping centers, mobile home parks, manufacturing facilities, hotels, and industrial properties.
- Defended a licensor's ownership rights of intellectual property in a chapter 11 bankruptcy resulting in resolution of litigation before the USPTO.
- Secured the ex parte appointment of a receiver in state court resulting in the collection of \$1.2 million in unsecured debt.
- Prevented enforcement of a foreign judgment based on a fully-satisfied debt.
- Defended mortgage loan company against claims by the Federal Deposit Insurance Corporation's allegations of fraudulent mortgage loans.
- Successfully contested dischargeability of debts under 11 U.S.C. § 523.
- Obtained full security for \$1.7 million in unsecured debt in an operating receivership.

- Represented owners and property manager of multiple property defaults with lender and successfully negotiated forbearance and orderly sale of real estate.

Attorneys

- Peter Brosse, Chair
- Ronald P. Friedberg
- David Neumann