

Related Services

- Bankruptcy Proceedings
- Commodities and Derivative Counterparties in Bankruptcy
- Corporate
- Litigation
- Out of Court Workouts
- Private Funds and Asset Management
- Tax Compliance & Controversy

Creditors' Rights Litigation in Bankruptcy and State and Federal Courts

We work closely with the firm's Litigation Department to enforce and preserve our clients' rights in bankruptcy and other federal and state courts, and in arbitrations and mediations. We defend preference and fraudulent conveyance actions brought by debtors, trustees, and creditors' committees; appear in contested matters at first-day hearings, sale hearings, and disclosure and confirmation hearings in Bankruptcy Court; and prosecute and defend bankruptcy appeals in the District Courts and Courts of Appeals.

We routinely represent lessors in real estate bankruptcies (including, recently, *the Bed Bath & Beyond*, *Virgin Orbit* and *Bittrex* cases, and have extensive experience regarding lease assumption, assignment and rejection, administrative and future rent claims, shopping center leases, abandonment of property and mitigation issues. We also represent mortgage and mezzanine lenders in borrower bankruptcies, including with regard to lift stay, trustee appointment, and dismissal or conversion motions, adequate assurance, intercreditor issues, single asset real estate and plan negotiation and valuation and cramdown.