

Bankruptcy, Restructuring and Creditors' Rights

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When a business faces serious financial distress, the decisions made in the early stages can determine whether it survives, how creditors recover, and what happens to the people and assets involved. Our Bankruptcy, Restructuring and Creditors' Rights team brings deep experience to these high-pressure situations, representing all sides of the table with the same level of preparation and judgment.

Our clients include debtors, creditors' committees, secured lenders, bankruptcy trustees, landlords, and asset purchasers. We practice in federal and bankruptcy courts throughout the DC metropolitan area and in courts across the country, including Texas, California, New York, Delaware, Pennsylvania, Illinois, Indiana, Tennessee, and New Mexico. Our attorneys have been appointed as trustees, examiners, and mediators by local bankruptcy courts in Maryland and the District of Columbia, and are regularly engaged as general counsel or special counsel to trustees — a reflection of the reputation we have built within the bankruptcy community.

When matters require it, we draw on the full depth of the firm, coordinating with colleagues in corporate and securities law, tax, real estate, intellectual property, telecommunications, employment, and commercial litigation. Complex bankruptcy cases rarely stay in one lane, and neither do we.

What We Handle

Our work spans the full spectrum of financial distress and restructuring, including:

- Chapter 11 reorganizations for debtors, including complex retail and manufacturing cases
 - Creditors' committee representation
 - Debt restructurings and out-of-court workouts for both borrowers and lenders
 - Secured creditor and lender representation
 - Bankruptcy trustee, examiner, and mediator appointments
 - Asset purchase transactions in bankruptcy
 - Landlord representation in tenant bankruptcy proceedings
 - Foreclosure-related eviction proceedings for commercial and residential properties
 - Complex bankruptcy litigation
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Results

Selected Outcomes

- Confirmed a plan of reorganization representing Parking Management, Inc. in a Subchapter V Chapter 11 proceeding to restructure 88 parking garages.
- Confirmed a plan of reorganization in a heavily contested Chapter 11 proceeding involving a start-up company developing solid oxide fuel cell technology.
- Obtained an order converting a Chapter 11 to a Chapter 7 proceeding in a case involving solar energy and cryptocurrency.
- Won an appeal in the United States Court of Appeals for the Third Circuit affirming that a lending institution client held first lien priority on a borrower's assets in connection with a \$3.2 million loan, allowing the bank to collect \$1.2 million held in the court registry.
- Appointed by a Maryland Bankruptcy Court judge as mediator in a large Chapter 11 real estate proceeding involving multi-million dollar disputes over lien priorities and entitlement to sales proceeds.
- Appointed by a Maryland Bankruptcy Court judge as mediator in a large Chapter 11 proceeding to resolve a dispute arising out of insurance coverage related to lead paint claims.
- Successfully defeated a motion to dismiss in federal court in Greenbelt, Maryland in a suit against an insurance company for coverage related to a fraudulently issued \$1 million letter of credit, resulting in a significant settlement for the client.
- Settled a breach of contract and breach of fiduciary duty matter in state court resulting in a multi-million dollar payment to the client.
- Settled a \$6 million suit filed in Montgomery County Circuit Court through mediation, resulting in ongoing monthly payments to the client.

Representative Cases

- Ashdun Corporation (special counsel for the Chapter 11 Trustee)
- Baltimore Emergency Services II, LLC (co-counsel for purchaser of assets)
- Bond Transfer, Inc. (counsel to unsecured creditors' committee)
- Bread and Chocolate, Inc. (counsel for Chapter 11 debtor)
- Criimi Mae Management, Inc. (counsel for Chapter 11 debtor)
- Cryptek (counsel for Chapter 11 debtor)
- Dormia, Inc. (counsel for Chapter 11 debtor)
- Elway, Inc. (counsel for purchaser of assets)
- Final Analysis, Inc. (counsel for Chapter 7 Trustee)
- George Transfer, Inc. (Chapter 11 Plan Trustee)
- Hilton Cable, Inc. (counsel for secured lender)
- Joanne's Bed & Back Stores, Inc. (counsel for Chapter 11 debtor)
- Mastercraft Interiors Ltd. (counsel for Chapter 11 debtor)
- Multiconsultant Associates, Inc. (counsel to Receiver)

- National Rifle Association (counsel for secured creditor)
- Pixelligent (counsel for Chapter 11 debtor)
- PMI, Inc. (counsel for Chapter 11 debtor)
- Pocket Communications (Chapter 11 disbursing agent)
- Redox Power Systems, LLC (counsel for Chapter 11 debtor)
- Regency Health Care Services, Inc. (counsel for Chapter 11 debtor)
- Royal Furniture, Inc. (Chapter 11 Trustee)
- Sears (counsel for defendant in several preference actions)
- Sir Walter Raleigh Inns, Inc. (counsel for Chapter 11 debtor)
- Startec Global Communications Corp. (special counsel to Chapter 11 debtor)
- Timothy Dean Restaurant & Bar (counsel to landlord)
- United American, Inc. (counsel for unsecured creditors' committee)
- USInternetworking, Inc. (counsel for unsecured creditors' committee)
- Valley Historic Limited Partnership (counsel for secured creditor)

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