

DECOTIIS, FITZPATRICK & COLE, LLP

BANKRUPTCY

THE BANKRUPTCY, FINANCIAL REORGANIZATION AND CREDITORS' RIGHTS GROUP AT DECOTIIS IS A FOCUSED, SPECIALTY PRACTICE THAT PRIMARILY REPRESENTS CREDITORS IN CHAPTER 11 BANKRUPTCY PROCEEDINGS. We possess distinctive skills and methods that effectively guide clients through every kind of financial reorganization and bankruptcy.

Bankruptcy practice is unique in that many different parties are involved, and there can be more than a few surprises. Under these circumstances, representing creditors means aggressively and effectively defending their interests in a way that is also consistent with their greater business strategy. Accomplishing this task requires skill, experience and judgment

The firm has extensive experience in all types and stages of financial distress situations and bankruptcy cases, from negotiation of work-out plans to litigation of reorganizations and liquidations. Our attorneys have represented secured and unsecured creditors, defended and prosecuted preference and fraudulent transfer actions, and provided advice in the sale or purchase of assets and obligations of debtors.

Our approach to each case is guided, first and foremost, by the client's particular business objectives. For example, one client might liquidate an asset through a sale, while another might be better served by developing a long-term lease. If the situation requires it, we can act aggressively and quickly – for example, filing motions for expedited relief on behalf of a secured creditor. Or, we can take a more deliberate approach, if the client's interests are not at risk and the issues are complex.

In complex cases, our attorneys work closely with other DeCotiis practitioners, particularly members of our Real Estate, Tax, Government and Regulatory Affairs and Environmental and Litigation groups. This multidisciplinary approach provides clients with better, more comprehensive counsel, more efficiently and at lower cost. Examples of the issues we have addressed in this fashion include lending counsel on the acquisition or sale of an encumbered parcel of industrial property, pursuing the recovery of rent or lease payments from a defaulting tenant, or negotiating a many-faceted reorganization plan for a struggling corporation or creditors committee.

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Our approach is also unique in that when possible, our attorneys devote all of their working attention to a single matter. We believe clients are best served when caseloads are managed this way, rather than expecting lawyers to juggle several matters simultaneously, particularly if they are complex. By focusing on a single case at a time, we develop an intimate understanding of each situation, and can also be extraordinarily responsive to our clients. Finally, this kind of focus typically allows us to map out the entire case for clients from the beginning, providing them with a roadmap of what will happen when, in what order, involving which parties and what the outcome is likely to be.

This degree of predictive oversight is the result of extensive experience in the bankruptcy courts, as well as the firm's longstanding relationships with regulatory or public officials who frequently become involved in a large or complex Chapter 11 proceeding. Whatever the business at issue, and whatever the strategic goals of our client, the Bankruptcy group at DeCotiis stands ready to provide expert, comprehensive and effective legal counsel.

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