

Creditors' Rights

We navigate secured and unsecured creditors through the recovery of debts owed by businesses in the throes of bankruptcy proceedings, out of court foreclosure, restructuring and receivership. When swift action is required, our lawyers move assertively and strategically. Working from the earliest stages of distress, we maximize our clients' rights through negotiations and, when necessary, litigation in bankruptcy and state courts throughout the country. Our representation has resulted in published decisions in our clients' favor, some of which established new law.

REPRESENTATIVE MATTERS

Acted as counsel to one of the largest general unsecured trade creditors and member of the Official Committee of Unsecured Creditors in the chapter 11 bankruptcy cases of Chrysler LLC and certain of its affiliates in the United States Bankruptcy Court for the Southern District of New York; successfully obtained payment in full for the client through negotiations with purchaser of the debtors' business operations.*

Acted as counsel to Japan Airlines (JAL) in the Aloha Airlines chapter 11 bankruptcy pending in Hawaii. JAL had service agreements with Aloha Airlines that were put at risk due to Aloha's bankruptcy filing. The practice structured a successful result for JAL that allowed its contracts to remain fully intact with assignees whom JAL approved.*

Acted as counsel to State of California Ex Rel. Department of Water Resources and handled all bankruptcy aspects regarding State of California in the chapter 11 bankruptcy case of California Power Exchange, the operator of several types of markets for wholesale electricity who matched suppliers and purchasers of electricity.*

Acted as counsel to Missoula Area Economic Development Corporation (MAEDC) in representing its interests in the bankruptcy case of Smurfit-Stone Container Corporation and its affiliates, with particular emphasis on Smurfit's abrupt closure in early January 2010 of its paper mill in Missoula County, Montana.*

Acted as counsel to a national bank in the chapter 11 bankruptcy case of the largest grower and seller of palm trees in the country. Successfully negotiated the \$78 million loan facility secured by farmland in Arizona and California.*

Acted as counsel to a fund that holds a credit linked note of several hundred million dollars issued as part of an integrated transaction with various US and foreign Lehman Brothers entities, as a creditor in the Lehman Brothers US and international insolvency proceedings.*

Acted as counsel to committees of creditors in extremely adversarial chapter 11 bankruptcy cases of the owner and operator of Gas Company Tower Building, a 52-story premier office building in downtown Los Angeles. As a result of the committee's request for participation in mediation, settlement was reached and a plan of reorganization was confirmed that paid unsecured creditors in full plus 7% interest, while restructuring more than US\$400 million in debt.*

Acted as counsel to the committee of creditors of Bell Brand Snack Foods, Inc., a snack food manufacturer and distributor. Negotiated a consensual plan of reorganization that provided for immediate 90 percent payout to general unsecured creditors before any payments on secured or unsecured debts owed to affiliates.*

Acted as counsel to the committee of creditors of Babaeian Transportation Co., Inc., dba Checker Cab Company, dba Burbank Taxi, dba Pasadena Taxi, dba San Fernando Checker, possessing a fleet of taxi cabs in California's San Fernando Valley. Caused appointment of a chapter 11 trustee to preserve the estate's assets for sale; actively participated with the trustee who ultimately sold the assets and made distributions to unsecured creditors.*

Acted as counsel to the committee of unsecured creditors of Taxi Systems, Inc. in Southern California. General unsecured creditors included more than 400 personal injury claimants in addition to numerous trade creditors. Extensive negotiations resulted in a confirmed plan of reorganization providing for 100 percent payout on trade claims, with election offered to personal injury claimants either to continue to litigate their claims or to receive 100 percent of cash settlement amounts over time, such payments collateralized by assets of the debtor, the debtor's parent and certain of the debtor's principals.*

Acted as counsel to the Official Committee of Unsecured Creditors in the chapter 11 bankruptcy cases of Pacific Energy Resources Ltd., and certain of its affiliates, which engage in the acquisition, exploitation and development of oil and gas properties, primarily in the US.*

Acted as counsel to the Official Committee of Unsecured Creditors in the chapter 11 bankruptcy case for Quantum Fuel Systems Technologies Worldwide, Inc., dba Quantum Technologies.*

Acted as counsel to Relativity Fashion LLC and related entities, a set of high-profile producers, directors, and writers, in negotiating business transactions and protecting their claims.*

Acted as counsel to AOG Entertainment, Inc. and Core Media Group, a set of high-profile producers, directors, and writers, in negotiating business transactions and protecting their claims.*
