

# SHEEHAN PHINNEY

## James S. LaMontagne

Shareholder | Portsmouth, NH

Jim is Sheehan Phinney's practice group leader of the Bankruptcy, Restructuring and Creditor's Rights Group. His diverse practice includes the representation of clients involved in financially distressed situations, insolvency and commercial disputes.

Jim represents secured lenders, creditor committees, purchasers of distressed assets, trustees, vendors, landlords, unsecured creditors and small and larger business debtors in out-of-court workouts and restructurings, Chapter 11 reorganizations, sales, Chapter 7 liquidations and state and federal court litigation. He also represents clients in preference actions, dischargeability complaints and violation of stay cases as well as representing both creditors and debtors in commercial foreclosure proceedings, secured party sales, and commercial collection/contract actions.



### Contact Information

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## Key Matters

- Assignee of Assignment For Benefit of Creditors For Minor League Hockey Team
- Represented Assignee in Assignment For Benefit of Creditors For Retail Clothing Syndicate
- Chapter 11, Subchapter V Trustee
- Counsel to regional oil and propane company in acquiring operating assets from chapter 11 bankruptcy estate.
- Counsel to publisher in acquiring operating assets from chapter 11 bankruptcy estate.
- Counsel to one of the ten largest banks in the United States in a nursing home's chapter 11 case.
- Counsel to banks and financial institutions in bankruptcy, foreclosure and collection proceedings.
- Counsel to creditors committee in chapter 11 case of manufacturer of firearms parts and accessories.
- Counsel to marble and stone contractor in workout with secured lender.
- Counsel to dental practice in workout with creditors.

## Practice Areas

- Bankruptcy, Restructuring and Creditors' Rights
- Business Litigation
- Distressed Assets

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## Admissions

- State of New Hampshire
- Commonwealth of Massachusetts
- State of Maine
- United States District Court, District of New Hampshire
- United States District Court, District of Massachusetts
- United States District Court, District of Maine
- First Circuit Bankruptcy Appellate Court
- First Circuit Court of Appeals

## Education

- J.D., Suffolk University Law School
- B.A., St. Anselm College

## Civic Involvement

- Board Member, Northern New England Regional Board of Directors For The American Red Cross
- Finance Committee Member, Portsmouth Chamber of Commerce
- Member of American Bankruptcy Institute
- Leadership of Manchester, Class of 2005

## Awards

- Best of Business – Bankruptcy Firm for 2012, 2014, 2015, 2018
- Chambers USA, Bankruptcy

## Publications

- The Small Business Reorganization Act And Its Evolving Case Law
- Options for Businesses in Financial Distress
- New Subchapter V draws raves from bankruptcy bar
- CARES Act Amends Bankruptcy Code To Allow More Small Businesses To Take Advantage Of New Streamlined Chapter 11 Process
- Federal Government Joins New Hampshire In Prohibiting Foreclosures
- NH Legal Perspective: A Primer on PPP Loan Forgiveness, Forbearance Agreements and Small Business Bankruptcy
- NH Legal Perspective: How fraud can impact the bankruptcy process
- NH Legal Perspective: Primer on bankruptcy preference payments, and creditors' defenses
- NH Legal Perspective: Commercial debtor-tenants and their landlords
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- NH Legal Perspective: Guide to bankruptcy preference payments and creditors' defenses
- Caveat Emptor – “Free and Clear” Sales May Be Clouded by Successor Liability Claims
  - Cloud Computing and Bankruptcy: What Happens if the Cloud Bursts?