

SHEEHAN PHINNEY

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Bankruptcy, Restructuring and Creditors' Rights

Sheehan Phinney's Bankruptcy, Restructuring and Creditors' Rights Practice Group has the experience to effectively and efficiently respond to the transactional and litigation matters that arise in any distressed commercial situation. We regularly handle significant bankruptcy, restructuring and creditors' rights representations for clients in federal and state courts throughout New England and across the country.

Sheehan Phinney's attorneys represent clients in every aspect of business bankruptcy cases and other insolvency venues. Our clients include debtors, secured and unsecured creditors, equity holders, official and unofficial creditors' committees, trustees and liquidating and/or plan trustees in bankruptcy, contract counterparties, lessors/lessees, directors and officers, and liquidators of insolvent insurance companies. Both inside and outside of bankruptcy cases, we advise clients buying and selling financially distressed entities or their assets, including related real estate and intellectual property interests. We are able to draw upon the legal resources of our full-service firm to handle any business law issues that may arise during a bankruptcy or insolvency matter.

Members of the Bankruptcy, Restructuring and Creditors' Rights Practice Group and our broader business litigation team have substantial trial experience in bankruptcy proceedings and other state and federal cases. Our attorneys regularly represent clients in contested claim and plan confirmations, relief from stay, valuation, cash collateral and DIP financing hearings. We have also successfully prosecuted and defended many proceedings to avoid preferential and fraudulent transfers, and have litigated disputes ranging from breach of contract actions to recharacterization and subordination of claims. Our attorneys have extensive experience in handling appellate proceedings in the United States District Courts, Bankruptcy Appellate Panels and United States Court of Appeals, and Supreme Court of New Hampshire and the Massachusetts Supreme Judicial Court.

Our attorneys also serve as mediator, arbitrator or other facilitator to resolve actual or potential commercial litigation through alternative dispute resolution techniques. Members of the Bankruptcy, Restructuring and Creditors' Rights Practice Group have completed the American Bankruptcy Institute/St. John's University bankruptcy mediator training program and are approved mediators for matters in Massachusetts, New Hampshire and New York.

Related experience of attorneys in the Bankruptcy, Restructuring and Creditors' Rights Practice Group:

- Represented acquirer of oil and propane company from Chapter 11

Practice Area Chair
James S. LaMontagne

Members

- Brian J. Bouchard
- Christopher M. Candon
- James S. LaMontagne
- John H. Perten

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- proceeding.
- Represented acquirer of textile company from Chapter 11 proceeding.
- Represented acquirer of publishing company from Chapter 11 proceeding
- Represented biopharmaceutical manufacturer of radiotherapeutic drugs for use in oncology in its successful Chapter 11 reorganization.
- Represented chain of 150 convenience stores and gas stations in the northeast, with revenues of \$175 million. Represented company in selling its retail locations through Chapter 11 proceeding.
- Represented clients in action brought by Chapter 7 Trustee seeking to hold them responsible for debtor's liabilities pursuant to theories of alter-ego and veil piercing. Successfully obtained dismissal of the claims alleged to be worth millions of dollars.
- Represented workers, family and community members injured by exposure to asbestos in the Chapter 11 case of a specialty chemicals and materials company with billions of dollars in asbestos-related liabilities.
- Represent banks and other financial institutions in workouts, bankruptcy and commercial foreclosures.