

## Creditors' Rights Litigation

### **PRACTICE CONTACTS**

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Our Creditors' Rights Litigation Team combines a core unit of bankruptcy and reorganization lawyers along with lawyers from other practice areas within the firm. If a matter requires an interdisciplinary litigation approach, accessibility to lawyers from practice areas such as commercial litigation, commercial finance, real estate finance and development, business taxation and securities regulation, for example, allow us to design a full-service team to protect and enforce the rights of our corporate, banking, trade and individual creditor clients in all areas of creditors' rights litigation in state and federal courts throughout the nation. We provide clients with comprehensive and expert representation in a wide range of actions that include:

- Representing secured parties in enforcement of security interests and other remedies
- Representing judgment creditors in collecting assets of judgment debtors with complex corporate and asset structures
- Commercial debt collection
- Preference and fraudulent conveyance litigation
- Foreclosure litigation
- Receivership actions

### **EXPERIENCE**

- In re G-I Holdings, Inc., Case No. 01-10315 (D.N.J. Bankr.), (This matter is a multi-billion dollar asbestos bankruptcy that was actively litigated for approximately seven years in front of the Bankruptcy Court and multiple district courts. KMK represented a retired New Jersey state court judge that was appointed to the position of Legal Representative (equivalent to a guardian ad litem) to represent the interests of those persons that had been exposed to asbestos but had yet to develop a sickness. KMK litigated on behalf of the Legal Representative in extensive proceedings with the debtor (a substantial manufacturer), and the statutory committee representing the class of asbestos victims, until a settlement in the approximate amount of \$750 million was reached.)
- KMK represents a secured lender holding a secured claim exceeding \$30 Million in the chapter 11 bankruptcy case of Zayat Stables, one of the largest thoroughbred racing stables in the United States, pending in the United States Bankruptcy Court for the District of New Jersey.
- KMK represents a secured lender in the chapter 11 bankruptcy proceedings of Petro Ventures, a regional chain of convenience stores with a complex capital and organizational structure, involving multiple secured lenders holding over \$55 million in debt secured by competing liens, pending in the Bankruptcy Court for the Southern District of Ohio.