Nicholas G.O. Veliky

Associate

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Nicholas Veliky is associate in Herrick's Restructuring & Finance Litigation Department. Nick's practice focuses on complex commercial litigation, restructuring and bankruptcy, and other litigation matters. He frequently handles partnership and investor disputes and often advises debtors and creditors on restructuring, bankruptcy and other distressed situations.

Nick's clients include real estate investors, developers, property managers, insurance companies, hedge funds and executives.

Nick has been recognized by "*The Best Lawyers in America*© – Ones to Watch" for his work in commercial litigation for the years 2021 through 2025.

Prior to joining Herrick, Nick was an associate with Wollmuth Maher & Deutsch LLP, where he represented institutional investors and financial technology companies in a wide variety of litigation matters.

Services

- Litigation
- Restructuring & Finance Litigation
- Distressed Real Estate

Education

- Fordham University School of Law (J.D., *cum laude*, 2015)
- Fordham University (M.S., 2012)
    - Graduate School of Business
- Fordham University (B.S., *summa cum laude*, 2011)
    - Gabelli School of Business

Recognitions and Accolades

- *The Best Lawyers in America*© *- Ones to Watch,* Commercial Litigation (2021 - 2025)Award Methodology
No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Representative Matters

Schneider, et al. v. Pine Management, Inc., et al. (N.Y. Sup. Ct.):

Representing LLC property manager and majority LLC members in suit by minority LLC members alleging breach of contract and breach of fiduciary duty claims related to scope of manager's authority to manage properties owned by LLCs.

National Financial Partners, Corp. (NFP)
Herrick regularly represents NFP, a national insurance brokerage and consulting firm, in connection with a pre-litigation disputes and litigation.

In re Envision Healthcare (S.D. Texas)
Represented a group of creditors who had their existing debt subordinated to other creditors via an improper amendment to a credit agreement that occurred to facilitate an "uptier" transaction. We represented this client group in both the bankruptcy and a related adversary proceeding that we commenced. A plan of reorganization was approved by the bankruptcy court with terms favorable to our clients. This matter is particularly notable because it involves novel legal issues associated with the timely and growing trend of creditors challenging "uptier" transactions more broadly.

Flat Footed LLC - Successful Proxy Campaign to Block Merger Between Two REITs
Herrick represented Flat Footed LLC, an investment management firm, in a successful proxy campaign to block a merger between two distressed REITs. Following a months-long public proxy campaign by Flat Footed opposing the proposed merger between Diversified Healthcare Trust and Office Properties Income Trust, the two companies announced their termination of the merger agreement.

In re Hudson 888 Owner LLC and Hudson 888 Holdco LLC (Bankr. S.D.N.Y.)
Successfully represented Hudson 888 Owner LLC and Hudson 888 Holdco LLC, subsidiaries of Chinese developer Xinyuan Real Estate Co. Ltd., as the debtors in a jointly-administered single asset real estate (SARE) Chapter 11 case involving a high-end mixed-use property in Hell's Kitchen in New York City. A settlement was reached on terms favorable for our client, and a plan of reorganization was approved by the Court. This represented a very successful culmination of a highly complex and contentious Chapter 11 bankruptcy case.

In re City of Chester, PA (E.D. Pa.)
Representing the Official Retiree Committee in the Chapter 9 bankruptcy of Chester, Pennsylvania.

Publications

June 24, 2021
Lessons from US v. Holmes: Limits of the Attorney-Client Privilege in Communications with Corporate Clients and their Executives
Herrick Restructuring Review

November 18, 2020
Herrick's Restructuring & Finance Litigation: 2019-2020 In Review