



Stephen B. Selbst

*Partner; Co-Chair, Restructuring & Finance
Litigation Department*

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Stephen Selbst is the co-chair of Herrick's Restructuring & Finance Litigation Department. He has more than 30 years of experience representing debtors, creditors, official committees, distressed investors and asset purchasers in bankruptcies and out-of-court restructurings. Stephen advises clients from a wide range of industries, including financial services, telecommunications, government agencies and real estate. A skilled commercial litigator, Stephen also has significant experience in district and state courts, where he regularly represents clients in separate litigation arising out of bankruptcy. He also advises clients on structured finance and derivative transactions.

He is a frequent lecturer on bankruptcy and restructuring topics and has published articles and book chapters on bankruptcy-related topics. He has been frequently quoted in newspaper articles on insolvency related topics and has appeared on CNBC.

Stephen also has experience representing lenders in financing transactions, where he has handled various forms of credit facilities, including asset-based loans, cash flow loans, leveraged lease transactions, note purchase agreements and high-yield bond issues.

Bankruptcy and Restructuring Engagements

- *All Year Holdings Limited* – Represented real estate debtor as special litigation counsel. Won motion to dismiss adversary proceeding, which was affirmed on appeal. (S.D.N.Y.)
- *Wythe Berry Fee Owner LLC* – Representing debtor in chapter 11 proceeding involving the William Vale Hotel, a luxury hotel in Brooklyn. (S.D.N.Y.)
- *In re Larisa Markus* – Representing foreign representative in chapter 15 proceedings involving Russian foreign debtor. (S.D.N.Y.)
- *VP Williams Trans, LLC* – Represented secured lender in case of first impression regarding availability of 1111(b) election in subchapter V case.
- *The Weinstein Companies*. – Successfully opposed motion of debtors' licensee to reject licensing contract where bank client was secured by assignment of licensing royalties. (D. Del.)
- *Lehman Brothers, Inc.* – Representation of adversary proceeding defendant involving alleged breach of warranty claims on sales of mortgages. (S.D.N.Y.)
- *Hancock Fabrics, Inc.* – Settled adversary proceeding against vendor alleging consigned goods had become property of debtor's estate. (D. Del.)
- *The Great Atlantic & Pacific Tea Company* – Won summary judgment for landlord in lease dispute with chapter 11 debtor (S.D.N.Y.)
- *Coyne International Enterprises, Inc.* – Lead counsel for industrial laundry and linen company operating plants in 15 states. Led three successful 363 sales that paid senior lender in full and provided substantial payment to junior lienholder. (N.D.N.Y.)

- *PSN USA, Inc.* – Won success defense summary judgment in bankruptcy court on fraudulent conveyance claim against telecommunications provider. Decision affirmed in District Court and 11th Circuit, 615 Fed. Appx. 925 (11th Cir. 2015).
- *ISDA Transactions* – Represented television network, major league sports franchise and real estate developer on ISDA transactions with notional values in excess of \$2 billion.

Services

- Commercial Finance and Lending
- Private Investment Funds
- Restructuring & Finance Litigation
- Distressed Real Estate
- Real Estate Litigation & Dispute Resolution
- Real Estate

Education

- University of Michigan Law School (J.D., 1980)
- University of Michigan (B.A., *with highest distinction*, 1976)

Recognitions and Accolades

- *The Best Lawyers in America*® - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2013 - 2024)
- *Thomson Reuters New York Metro Super Lawyers* (2022 & 2023)[Award Methodology](#)

Memberships & Associations

- American Bar Association
- Association of the Bar of the City of New York
- American Bankruptcy Institute
- TAGLaw®
 - Member, Financial Institutions and Markets Specialty Group