



Steven B. Smith

Partner

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Steven B. Smith focuses his practice on complex corporate restructuring, liquidations and bankruptcy litigation, including in-court Chapter 11 and Chapter 15 cases and out-of-court workouts. He has extensive experience representing distressed debt investors, bondholders, official and ad-hoc creditor committees, administrative and collateral agents, indenture trustees, stalking horse and other asset purchasers, trade and tort claimants, and other significant parties-in-interest in a variety of jurisdictions across the United States.

Additionally, Steve has experience with the structuring, negotiating and documenting of complex real estate finance transactions, including mortgage, construction, leverage and mezzanine lending.

Steve is also experienced in the analysis of true sale, non-consolidation, and bankruptcy remoteness principles in opinion and related contexts and has lectured on the topic on numerous occasions.

Steve played an active role in the following reported decisions:

- *In re Wythe Berry Fee Owner LLC*, 660 B.R. 534 (Bankr. S.D.N.Y. 2024)
- *In re Urban Commons 2 West LLC, et al.*, 648 B.R. 530 (Bankr. S.D.N.Y. 2023)
- *Bricklayers and Trowel Trades International Pension Fund v. Wasco, Inc.*, 2015 WL 9459945 (M.D. Tenn. 2015)
- *In re TS Employment, Inc.*, 2015 WL 4940348 (Bankr. S.D.N.Y. 2015)
- *In re Intermet Corp.*, 2009 WL 2868749 (Bankr. D.Del. 2009)
- *In re XO Communications, Inc.*, 2008 WL 4587118 (C.A.2 (N.Y.) 2008)
- *In re Whitehall Jewelers Holdings, Inc.*, 2008 WL 2951974 (Bankr. D.Del. 2008)
- *Houlihan Lokey Howard & Zukin v. High River Limited Partnership*, 369 B.R. 111 (S.D.N.Y. 2007)
- *In re Muscletech Research and Development, Inc.*, (2006), 19 C.B.R. (5TH) 57 (Canada)
- *In re Ad Hoc Committee of Tort Victims*, 327 B.R. 138 (S.D.N.Y. 2005)
- *In re XO Communications, Inc.*, 323 B.R. 330 (Bankr. S.D.N.Y. 2005)
- *In re XO Communications, Inc.*, 330 B.R. 394 (Bankr. S.D.N.Y. 2005)
- *In re Exide Technologies, Inc.*, 299 B.R. 732 (Bankr. D. Del. 2003)

While in law school, Steve served as a judicial intern to Chief Judge William H. Gindin of the U.S. Bankruptcy Court for the District of New Jersey.

Services

- Restructuring & Finance Litigation
- Real Estate Finance

- Litigation
- Distressed Real Estate

Education

- Brooklyn Law School (J.D., 1999)
- Yeshiva University (B.A., 1996)

Recognitions and Accolades

- *The Best Lawyers in America*® - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2023 - 2025)
- *Thomson Reuters New York Metro Super Lawyers* (2013 - 2015 and 2022 - 2024)
- *Thomson Reuters New York Metro Super Lawyers, Rising Star* (2011)Award Methodology
No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Memberships & Associations

- Member, Federal Bar Council
 - Bankruptcy Litigation Committee
- Member, New York City Bar Association
 - Bankruptcy & Corporate Reorganization Committee
 - Out of Court Restructuring Subcommittee
- Member, UJA Bankruptcy and Reorganization Group Next Generation Committee
- Member, NYC Bankruptcy Assistance Project Steering Committee
- Board of Editors, The Bankruptcy Strategist
- Member, Strafford Bankruptcy Law Advisory Board
- Master, The Bankruptcy American Inn of Court
- Barry L. Zaretsky Roundtable Steering Committee

Representative Matters

G4 Capital Partners – \$74.5 Million Construction and Mezz Loan – Long Island City

Represented G4 Capital Partners in connection with a \$74.5 million construction and mezzanine loan for the development of property in Long Island City, New York for both residential and commercial use.

ACRES Capital - \$72.5 Million Refinance - Columbus, OH

Represented ACRES Capital in connection with the \$72,500,000 refinance of an existing construction loan for a mixed-used project with a 311-unit multifamily component and two retail suites located in Columbus, Ohio.

G4 Capital Partners – Construction and Mezz Loan – Brooklyn Heights, NY

Represented G4 Capital Partners in connection with a \$130 million construction and mezzanine loan for the construction of a residential building near Prospect Park in Crown Heights, Brooklyn, New York.

IIG Structured Trade Finance Fund Ltd. (Cayman; Curacao)

Representing the fund's directors in connection with the liquidation of the fund and related funds.

In re Hollister Construction (D.N.J.)

Representing a project owner in connection with the chapter 11 case of one of NJ's largest general contractors seeking to restructure in excess of \$100 million of debt.

In re 6350747 Canada, Inc. (D.N.J.)

Representing three separate companies in connection with estate claims being investigated by a foreign representative in the company's chapter 15 case.

In re J.C. Penney Co. Inc. (S.D.Tex.)

Representing Bank Hapoalim as a significant creditor in connection with J.C. Penney's chapter 11 cases.

In re Neiman Marcus LTD LLC (S.D.Tex.)

Representing a significant consignment vendor to Neiman Marcus and Bergdorf Goodman in connection with Neiman's chapter 11 cases.

In re Melinta Therapeutics, Inc. (D. Del)

Representing Yale University as a creditor and contract counterparty in connection with Melinta's chapter 11 cases.

In re: Charge Enterprises Inc. (D. Del.)

Represented Kenneth Orr and certain KORR entities, significant shareholders and creditors of the debtor in the *In re Charge Enterprises, Inc.* Chapter 11 case in the Bankruptcy Court for the District of Delaware. The Debtor commenced its Chapter 11 case with a prepackaged plan negotiated with its prepetition secured lender and sought confirmation of that plan – which provided for the Lender to receive 100% of the equity in post-reorganization Charge – within 48 days of the bankruptcy filing. Prior to the Chapter 11 case, Charge had described in its SEC filings certain aggressive acts by the Lender that hindered Charge's ability to refinance its debt to the Lender and increased the size of the debt purportedly owed by Charge, which led to the Charge's inability to repay the notes at maturity. But, in its first-day Chapter 11 filings, the Debtor looked to blame KORR for its predicament, claiming that a separate dispute with KORR over illiquid investments Charge made with KORR left Charge with insufficient liquidity to repay the Lender notes. That dispute was the subject of a separate New York State Court litigation commenced by Charge while negotiating its restructuring with the Lender. In the limited time available in the Chapter 11 case, Herrick engaged in a strategy of attacking the Debtor and its Lender's proposed restructuring on several fronts. Ultimately, KORR reached a settlement of all its disputes with Charge and the Lender, which was a positive result for Herrick's client as well as for the Debtor and its estate. The plan and disclosure statement were approved pursuant to the Confirmation Order.

Private Lender - Multiple State and Federal Litigations

Represent a private lender in connection with multiple state and federal litigations related to a significant commercial property in Upper Saddle River, New Jersey.

In re Urban Commons 2 West LLC (Bankr. SDNY)

Represent BPC Lender, LLC, an affiliate of Silver Creek Development, a real estate development and investment company, in the Chapter 11 cases of real estate developer and hotelier, Urban Commons 2 West LLC and certain affiliates, which defaulted on hotel loans regarding the former Ritz-Carlton of Battery Park (now called The Wagner) in downtown Manhattan. After almost two years in Chapter 11 and 13 months of mediation, the Court issued a favorable ruling on behalf of our client. This included: (i) the approval of the debtors' sale of its hotel lease interests to our client, and (ii) confirmation of the debtors' Chapter 11 plan. In so doing, the Court (i) approved a global 9019 settlement reached between our client, the Battery Park City Authority, the Union, the Residential Board and the debtors negotiated over 13 months, and (ii) overruled the sole objection interposed by a junior, out-of-the-money

mechanic's lienholder who argued that the debtors could not sell their property free and clear of its lien. This matter is ongoing.

Sumitomo Mitsui Trust Bank - Acquisition & Construction Loan - Houston, TX

Represented Sumitomo Mitsui Trust Bank as lender in connection with an acquisition and construction loan of approx. \$76 million to a developer who plans to demolish an existing retail strip center and build an approximately 12 story, 209-unit market rate multifamily project with approximately 2,867 square feet of ground floor retail in Houston, TX.

G4 Capital Partners - \$29.5 Million Loan - Brooklyn, NY

Represented G4 in connection with a \$29.5 million acquisition and pre-development loan for the development of property located in Brooklyn, New York for both residential and commercial use.

In re C.T.W. Realty Corp. (S.D.N.Y.)

Representing the debtor in multi-million dollar restructuring concerning a commercial building in Manhattan.

Johnson & Johnson Spin-off Bankruptcy Case: Amicus Briefs

Filed amicus briefs on behalf of a group of bankruptcy law professors concerning debtor LTL Management LLC ("LTL"), an entity created by Johnson & Johnson to hold its talc liabilities to cancer victims exposed to talc in J&J's products. The professors filed these briefs in support of a motion to dismiss LTL's chapter 11 case, both before the Bankruptcy Court in the District of New Jersey, and the appeal to the Third Circuit Court of Appeals. In January 2023, the Third Circuit reversed the Bankruptcy Court's decision and dismissed the LTL Chapter 11 case. (*D.N.J. and 3rd Circuit Court of Appeals 2022-2023*).

Cantor Fitzgerald Securities - Administrative and Collateral Agent in Exit Facility

Represented Cantor Fitzgerald Securities as the administrative agent and collateral agent under an \$85 million exit facility following the successful *Blackhawk Mining, LLC, et al. (Bankr. D. Del.)*, chapter 11 cases, which involved over 100 properties, encompassing active mining complexes in West Virginia and Kentucky and substantial metallurgical and thermal coal reserves in West Virginia, Kentucky, Indiana, Illinois and Ohio. The finance component included establishing a collateral trust arrangement by transferring all of the collateral, loans and obligations to a collateral trust and amending and restating the existing loan documents. The real estate component included assigning existing mortgages encumbering the properties, amending and restating the existing mortgages and memoranda of intercreditor agreements to secure Cantor's interest as collateral trustee, preparing as-extracted collateral filings, reviewing specific requirements related to leasehold properties, and title review. The real estate component included terminating existing mortgages encumbering the properties, preparing new mortgages to secure Cantor's interest, preparing as-extracted collateral filings, reviewing specific requirements related to leasehold properties and title review. Herrick previously represented Cantor Fitzgerald as the administrative agent and the collateral agent under Blackhawk's (i) pre-petition \$660 million first lien term loan facility and (ii) \$150 million DIP term loan facility in connection with the pre-packaged restructuring of approximately \$1.1 billion of debt, which involved assigning the previous administrative agent's interest in all of Blackhawk's properties in West Virginia, Kentucky, Indiana, Illinois and Ohio to Cantor Fitzgerald, as administrative agent.

In re RLCH, Inc. - Debtor in Chapter 11

Represented debtor in Chapter 11. Sold multifamily residential apartment building pursuant to plan of reorganization. (*E.D.N.Y. 2020*)

Chinatown Commercial Building Sale Post-Bankruptcy

Represented an affiliate of a New York City-based family office on the approximately \$28.6 million sale of a largely vacant commercial building in the Chinatown neighborhood of

Manhattan. The sale was following a bankruptcy court order, in a Chapter 11, single-asset bankruptcy case.

In re Whiting Petroleum Corporation, et al. (Bankr. S.D. Tex.)

Representing indenture trustee for convertible noteholders in connection with Debtors' bankruptcy cases.

In re Ample Hills (Bankr. E.D.N.Y.) – Debtor in Chapter 11

Represented debtors who operated 10 retail ice-cream stores in the New York metropolitan area. Sold stores pursuant to section 363 sale in early days of COVID crisis (*E.D.N.Y. 2020*).

SunEdison, Inc.

Counsel to Reorganized SunEdison, Inc. concerning indemnity claims asserted by the syndication agent and lead arranger for a pre-petition second lien loan facility.

In re Gymboree, et al. (S.D.N.Y.)

Representing a defendant in a WARN Act action arising out of the sale of substantially all of Gymboree's assets.

Sears - Special Counsel to Creditors Committee

Serving as (i) Special Counsel to the Official Committee of Unsecured Creditors charged with investigating potential estate claims and causes of action relating to a 363 sale of intercompany company notes and certain credit default swap transactions, and (ii) Special Counsel to the Official Committee of Unsecured Creditors in high profile litigation on behalf of debtors' estates, seeking to recover billions of dollars of claims arising from several prepetition transfers. (*In re Sears Holdings Corporation, et al. (S.D.N.Y.)*)

In re Blackhawk Mining, LLC, et al. (D. Del.)

Representation of Cantor Fitzgerald Securities as (i) successor administrative agent and collateral agent under a \$660 million first lien facility, (ii) the administrative agent and collateral agent under a \$150 million DIP facility in connection with the chapter 11 case of Blackhawk Mining, and (iii) the administrative agent and collateral agent under an \$85 million exit facility.

Prior Firm Experience

In re WASCO, Inc. (M.D. Tenn. & 6th Cir.): Represented a pension fund as the largest unsecured creditor in all aspects of the chapter 11 case including (i) successfully obtaining a stay pending appeal of the bankruptcy court's confirmation of the debtors' new value plan and denial of a motion to dismiss the bankruptcy case, (ii) successfully obtaining a reversal from the district court of the bankruptcy court's confirmation of the plan and denial of motion to dismiss, and (iii) successfully arguing for the imposition of a bond in connection with the debtors' appeal to the Sixth Circuit which the debtors were unable to post.

In re GMX Resources, Inc.: Represented the administrative and collateral agent under a \$60 million exit loan facility.

In re Energy Future Holdings Corp. (D. Del.): Represented an ad-hoc committee of TCEH first lien lenders in connection with various litigation strategies to maximize value.

In re Energy Future Holdings Corp. (D. Del.): Represented the indenture trustee and a group of secured noteholders under a particular Rail Equipment Lease Agreement and related Indenture and Security Agreement.

In re TLO, LLC (S.D. Fla.): Represented significant equity holders in connection with the successful recharacterization of approximately \$30 million of debt as equity, including (i) successfully defeating a motion to dismiss the adversary proceeding, and (ii) participating in a mediation process which resulted in a global settlement agreement.

In re Corporate Resource Services, Inc. (D. Del. & S.D.N.Y.): Represented an ad-hoc committee of unsecured creditors.

In re Loehmann's Holdings, Inc., et al. (S.D.N.Y.): Represented Law Debenture Trust Company of New York as the administrative agent and collateral agent under the second and third lien credit facilities.

In re Stelera Wireless, LLC (W.D. Okla.): Represented the stalking horse purchaser in connection with its acquisition of certain of the debtors' assets through a section 363 sale.

In re AFA Investment, Inc. (D. Del.): Represented a significant creditor in connection with its opposition to a global settlement agreement and related appeal.

In re New Century TRS Holdings, Inc., et al. (D. Del.): Represented a significant creditor and provider of insurance program.

In re GMX Resources, Inc. (W.D. Okla.): Represented the administrative and collateral agent under a \$50 million DIP loan facility.

In re Global Aviation Holdings, Inc. (E.D.N.Y.): Represented the administrative and collateral agent under a \$45 million DIP loan facility.

In re Velo Holdings, Inc. (S.D.N.Y.): Represented one of the largest unsecured creditors.

In re Anderson News, LLC (D. Del.): Represented the second largest unsecured creditor holding a claim in excess of \$30 million and coordinated with other significant creditors on all aspects of the investigation and prosecution of certain estate claims and causes of action against the debtor's insiders and affiliates.

In re Trico Marine Services, et. al. (D. Del.): Represented the administrative agent under a \$100 million senior secured credit facility for Trico Shipping AS and Trico Supply AS and related entities.

In re American Safety Razor (D. Del.): Represented the second lien administrative and collateral agent in connection with the successful section 363 sale of substantially all of ASR's assets for \$301 million to Energizer Holdings, Inc.

In re Visteon Corp. (D. Del.): Represented one of the six lead investors, as well as the indenture trustee for the 12.25 percent senior notes, in connection with Visteon's successful reorganization, restructuring approximately \$2.7 billion of indebtedness through a "toggle" plan and a \$1.25 billion equity rights offering.

In re Vion Pharmaceuticals (D. Del.): Lead counsel for Yale University, as licensor of certain intellectual property to Vion, in connection with the successful opposition to Vion's efforts to sell Yale's IP without its consent.

In re Bally's Total Fitness: Negotiated the terms of an inter-creditor agreement for the lenders under a new \$180 million senior secured term loan facility for Bally's.

In re GSC Group Inc. (S.D.N.Y.): Lead counsel for Peter Frank, as president and senior managing director of GSC, in connection with the successful approval of a \$1 million bonus payment pursuant to Section 503(c)(1).

Official Ephedra Claimants Committee and Estate Funded Ad-Hoc Committee of Tort Victims: From 2005 to 2008, represented four official committees of unsecured creditors and tort claimants in the ephedra-related bankruptcy cases and insolvency proceedings of Twin Lab (S.D.N.Y.), Metabolife (S.D. Ca.), N.V.E., Inc. (D.N.J.) and Muscletech (CCAA in Canada; Chapter 15 in S.D.N.Y.), which resulted in over \$150 million in settlement proceeds for ephedra victims and meaningful recoveries for trade claimants.

Global Crossing Ltd. et al. (S.D.N.Y.): Lead associate in connection with the representation of the Official Committee of Unsecured Creditors which resulted in the restructuring of approximately \$12 billion in aggregate liabilities, and the completion of the sale of 62 percent of the company's equity.

Corecomm New York, Inc. (ATX Communications) (S.D.N.Y.): Lead associate in connection with the representation of the Official Committee of Unsecured Creditors which resulted in the restructuring of approximately \$250 million in aggregate liabilities.

Mike Tyson Enterprises (S.D.N.Y.): Lead associate in connection with the representation of the Official Committee of Unsecured Creditors.

Exide Technologies (D. Del.): Lead associate in connection with the representation of the Official Committee of Unsecured Creditors as special litigation counsel. Investigated various estate claims and causes of action against third parties.

Thermadyne Holdings Corp. (E.D. Mo.): Lead associate in connection with the representation of the Official Committee of Unsecured Creditors.

Quigley Company, Inc. (S.D.N.Y.): Lead associate in connection with the representation of the Ad-Hoc Committee of Asbestos Tort Victims. Conducted the deposition of one of Quigley's directors.

In re Roman Catholic Diocese of San Diego (S.D. Ca.): Represented an Ad-Hoc Committee of Tort Claimants.

Loral Space and Communications Ltd, et al. (S.D.N.Y.): Lead associate in connection with the representation of the Ad-Hoc Trade Claims Committee—comprised of three hedge funds holding in excess of \$26 million in claims—and was instrumental in successfully negotiating a settlement which increased distributions to trade creditors from 33 percent to 100 percent, plus post-petition interest rate of 6 percent, plus attorneys' fees.

Insight Health Services Holdings Corp., et al. (D. Del.): Assisted in the representation of the Ad-Hoc Committee of Senior Subordinated Noteholders.

Hayes Lemmerz International, Inc., et al. (D. Del.): Represented the second largest DIP Lender and one of the Exit Credit Facility Lenders in connection with its opposition to confirmation of the plan.

Lyondell Chemical Company, et al. (S.D.N.Y.): Represented the trustee with respect to the Arco and Equistar notes in connection with, among other issues, an appeal related to the propriety of adequate protection.

Intermet Corporation, et al. (D. Del.): Represented the first lien agent in the successful Chapter 11 liquidation of Intermet Corp., with approximately \$60 million in secured first lien debt.

Innkeepers USA Trust (S.D.N.Y.): Represented Lehman ALI in connection with the Chapter 11 cases of Innkeepers USA Trust which involved the restructuring of approximately \$220 million

of senior mortgage debt held by Lehman ALI and the restructuring of approximately \$1 billion of other secured debt.

Pegasus Satellite Television (D. Me.): Lead associate in connection with the representation of D.E. Shaw, as the holder of \$47.2 million of the 13.5 percent senior subordinated notes, and its opposition to the debtor's 363 sale of substantially all of its assets to DIRECTV. Conducted the deposition of the DIRECTV CFO.

Exide Technologies (D. Del.): Lead associate in connection with the representation of a holder of more than \$147 million of senior notes and convertible senior subordinated notes.

Network Communications, Inc.: Representation of existing equity owners of NCI in connection with NCI's successful out-of-court restructuring. Successfully negotiated a mutual release agreement which provided for full releases in favor of the equity holders.

The New York Racing Association, Inc. (S.D.N.Y.): Represented the equity sponsor for one of the three competing bidders for the Belmont/Saratoga/Aqueduct VLT franchises.

XO Communications, Inc. (S.D.N.Y. & 2nd Cir.): Representation of two Carl Icahn controlled entities in connection with their successful opposition to a financial advisor's request for a \$20 million transaction fee and related appeals to the SDNY and to the Second Circuit.

Plusfunds Group, Inc. (S.D.N.Y.): Served as co-counsel to the trustee for the Sphinx Trust in connection with the trustee's investigation related to the collapse of Plusfund's business following the Refco bankruptcy.

Whitehall Jewelers Holdings, Inc., et al. (D. Del.): Lead counsel in connection with the representation of a significant consignment vendor and its successful opposition to the debtor's attempt to include all consignment inventory in its 363 sale motion.

Cachet Products, Inc. (D.N.J.): Lead counsel for Daler-Rowney as the successful purchaser of substantially all of the debtor's assets pursuant to a section 363 sale.

Continuum Care Corporation (S.D. Fla.): Lead counsel for a successful purchaser of a skilled nursing facility pursuant to a section 363 sale.

Oakwood Homes Corp. (D. Del.): Represented the OHC Liquidation Trust in connection with the prosecution of over 30 avoidance actions.

Memorex Telex Corp. (D. Del.): Prosecuted/negotiated settlements for several hundred avoidance actions on behalf of the post-confirmation estate representative.

Events

Cram Up Under Chapter 11: Overcoming Objections From Dissenting Secured Lenders

December 19, 2024

Strafford Live Webinar

Structuring Special Purpose Entities: Separateness, Bankruptcy Remoteness, and True Sales

October 31, 2024

Strafford Live Webinar

Bankruptcy Fraudulent Transfers as Securities Claims: Opening the Door to Recovering D&O Insurance Proceeds

March 9, 2023

Strafford Live Webinar

Chapter 11 and Independent Directors: Maximizing Recovery; Challenging Conflicts; Defending Director Integrity

January 11, 2023

Strafford Live Webinar

Structuring Special Purpose Entities: Separateness, Bankruptcy Remoteness, and True Sales

November 2, 2022

Strafford Live Webinar

Chapter 11 Cram-Up Plans: Overcoming Objections, Non-Curable Defaults, Providing Indubitable Equivalent

June 16, 2022

Strafford Live Webinar

Bankruptcy Committees: Strategies to Maximize Distribution to All Creditors

March 2, 2022

Strafford Live Webinar

Chapter 11 and Independent Directors: Maximizing Recovery; Challenging Conflicts; Defending Director Integrity

January 26, 2022

Strafford Live Webinar

Cram Up Under Chapter 11: Overcoming Objections From Dissenting Secured Lenders

July 28, 2021

Strafford Live Webinar

Bankruptcy Committees: Strategies to Maximize Distribution to All Creditors

February 10, 2021

Webinar

Structuring Special Purpose Entities: Separateness, Bankruptcy Remoteness and True Sales

September 8, 2020

Strafford Live Webinar

DIP Financing: Structuring Roll-Overs, Cross-Collateralization, Priming Liens, Junior DIP Financing and More

September 7, 2016

Strafford Live Webinar

Trust Indenture Act and Involuntary Restructurings: Impact of Marblegate and Caesars Bankruptcy Litigation

April 12, 2016

Strafford Live Webinar

Structuring Special Purpose Entities

March 22, 2016

Strafford Live Webinar

International Harmonization of Bankruptcy and Secured Credit

November 19, 2015

Barry L. Zaretsky Roundtable Discussion

Structuring Special Purpose Entities in Real Estate Finance Transactions: Latest Developments

September 10, 2015

Strafford Live Webinar

Structuring Special Purpose Entities to Achieve Bankruptcy Remoteness: Latest Developments

March 18, 2015

Strafford Live Webinar

News

January 1, 2025

Bankruptcy Issues To Watch In 2025

Law360

October 24, 2024

Congratulations to Herrick Attorneys on their Selection to Super Lawyers 2024

Super Lawyers

August 15, 2024

Thirty-Five Herrick Attorneys Recognized by Best Lawyers® 2025

Best Lawyers®

January 4, 2024

US healthcare bankruptcies soar as costs mount

Financial Times

September 22, 2023

Congratulations to Herrick Attorneys on their Selection to Super Lawyers 2023

Super Lawyers

August 17, 2023

Thirty-One Herrick Attorneys Recognized by Best Lawyers® 2024

Best Lawyers®

May 4, 2023

Bankrupt Businesses Fight to Keep Cheaper Loans on Books as Interest Rates Rise

The Wall Street Journal Pro - Bankruptcy

January 30, 2023

Third Circuit Court of Appeals Reverses Bankruptcy Court's Decision and Dismisses the Chapter 11 Case filed by J&J entity LTL

Herrick, Feinstein LLP

September 29, 2022

Congratulations to Herrick Attorneys on their Selection to Super Lawyers 2022

Super Lawyers

September 13, 2022

Boy Scouts Case Far From Over As Chapter 11 Appeals Loom

Law360

August 19, 2022

Boy Scouts Bankruptcy Exposes Court Split on Liability Releases

Bloomberg Law

August 18, 2022

Twenty-Five Herrick Attorneys Recognized by Best Lawyers® 2023

Best Lawyers®

July 7, 2022

Herrick Files Amicus Brief in Third Circuit Appeal Arising from Johnson & Johnson Spin-off Bankruptcy Case Supporting the Case's Dismissal
Herrick, Feinstein LLP

June 22, 2022

The Constitutionality of the Bankruptcy Judgeship Act of 2017 - Podcast Series
The ABF Journal Podcast

May 12, 2022

Boy scout case could change large bankruptcy cases forever
Axios

February 7, 2022

Herrick Files Amicus Brief in Johnson & Johnson Spin-off Bankruptcy Case Regarding Bad Faith Filing and Supporting the Case's Dismissal
Herrick, Feinstein LLP

January 23, 2020

Fairway Files Chapter 11, Plans to Sell Stores
Newsday

January 10, 2020

WHO'S NEWS
Real Estate Weekly

December 20, 2019

Herrick, Feinstein Promotes Five Attorneys to Partner
New York Law Journal

December 16, 2019

Herrick, Feinstein LLP Announces New Partners
Herrick, Feinstein LLP

July 24, 2019

DIP Term Loan Agent - Debt Restructuring
Herrick, Feinstein LLP

Publications

September 27, 2023

To Reinstate or Not To Reinstate Debt? That Is the Question in a Rising Interest Rate Environment
New York Law Journal

February 15, 2023

Considering the Allowability of "Make-Whole Payments" in Bankruptcy
Herrick Restructuring Review

February 6, 2023

Third Circuit Court of Appeals Reverses Bankruptcy Court's Decision and Dismisses the Chapter 11 Case filed by J&J entity LTL
Herrick Restructuring Review

December 1, 2022

The Rise of Indubitable Equivalent 'Cram-Up' Plans
Reorg

August 23, 2022

Key Issues After Siegel Ruling
Turnarounds & Workouts

August 3, 2022

A Possible Resurgence of Reinstatement Cases Means Debtors and Creditors Should Heed
Lessons From Charter Communications and Young Broadcasting
Reorg

July 20, 2022

All Eyes on Boy Scouts Plan Ruling
Turnarounds & Workouts

February 3, 2022

Why the Expected COVID Restructuring and Bankruptcy Boom Fizzled—But May Soon
Materialize
Journal of Corporate Renewal

November 22, 2021

Debtors Beware: Congress Takes Aim At “Eve of Filing” Executive Compensation
Herrick Restructuring Review

September 2, 2021

Authority to File Chapter 11: A Matter of Contract or Public Policy?
The Bankruptcy Strategist

August 3, 2021

Escape New York: Court Dismisses NRA’s Chapter 11 As Improper Tactic to Avoid New York’s
Non-Profit Regulatory Scheme
Law Journal Newsletters

July 27, 2021

Paragon Offshore, plc: US Trustee Denied Quarterly Fees Based on Litigation Trust’s
Payments to Its Beneficiaries
Herrick Restructuring Review

November 18, 2020

Herrick’s Restructuring & Finance Litigation: 2019-2020 In Review

March 24, 2020

Beloved Home-Grown Ice Cream Company, Ample Hills, Seeks a Buyer

Past Publications

- *Lyondell Chemical: A Long and Winding Roadmap for Creditors In Leveraged Transaction Cases*, *The Bankruptcy Strategist*, August 2017
- *All’s Well That Ends Wellness: The Supreme Court Affirms Bankruptcy Court Jurisdiction Over Stern Claims*, *The Bankruptcy Strategist*, October 2015
- *Second Circuit Affirms Protection of the Section 546(e) Safe-Harbor Shield for Certain Madoff Investors*, *The Bankruptcy Strategist*, March 2015

- The First Circuit's Non-Unanimous Rejection of the Blanket Rule on Stay Relief Denials, *The Bankruptcy Strategist*, December 1, 2014
- The Appropriate Interest Rate Under § 506(b), *The Bankruptcy Strategist*, September 2014
- U.S. Supreme Court Rulings Force Argentina to Negotiate with Holdout Bondholders, June 20, 2014
- The Commonwealth of Puerto Rico's Financial Instability and Strategies for Relief, January 28, 2014
- When Worlds Collide: A Closer Look at the Intersection of Public Finance and Bankruptcy Law (Part Two), *The Bankruptcy Strategist*, June 2013
- When Worlds Collide: A Closer Look at the Intersection of Public Finance and Bankruptcy Law (Part One), *The Bankruptcy Strategist*, May 2013
- Dewey & Leboeuf Partner Contribution Settlement Agreements Seek to Avoid the Long and Winding Road of Law Firm Bankruptcies, *The Bankruptcy Strategist*, December 2012
- Bond...Supersedeas Bond, *The Bankruptcy Strategist*, November 2012
- Second Circuit Allows Asbestos Claims to Proceed Against Pfizer, *The Bankruptcy Strategist*, August 2012
- Full Recourse Enforcement of Non-Recourse Loans, A Look at Cherryland and Chesterfield, *The Bankruptcy Strategist*, April 2012
- Bankruptcy Auctions, *The Bankruptcy Strategist*, March 2011
- Challenges to Reinstatement of Debt Under Young Broadcasting, *The Bankruptcy Strategist*, September 2010
- Substantial Contribution Claims, *The Bankruptcy Strategist*, March 2010
- The Life and Times of the Non-Absolute Priority Rule, *The Bankruptcy Strategist*, August 2009
- Wyeth v. Levine In Light of Merck's Vioxx Litigation, *Product Liability Law* 360, November 2008
- The Ephedra Bankruptcy Cases and the TwinLab Global Settlement Model, *The Bankruptcy Strategist*, January 2008

Outside the Firm

Steve lives in Passaic, New Jersey, where he likes to spend as much time as possible with his wife and four children. He is a second-generation New York Yankees fan who would have been a third-generation fan, but for his Brooklyn Dodgers-loving grandfather. In his spare time, Steve enjoys performing as a musician at local community events, and jamming in his home, where his family considers him a rock legend.