



## Steven Wilamowsky

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### Overview

When it comes to complex restructurings and bankruptcy litigation, Steve's experience is among the broadest and deepest in the industry. Over the past 25 years, he has represented nearly every constituency involved in chapter 11 reorganization cases and out-of-court workouts. These have included large corporate debtors, bankruptcy trustees, landlords, creditors, and lenders. He also represents private equity firms, hedge funds, and other buyers interested in investing or acquiring assets from Chapter 11 proceedings.

Steve has extensive experience advancing client interests both inside and outside of bankruptcy courts and has advised on restructuring of distressed development projects in domestic and cross-border proceedings. Whether helping a distressed company navigate the complexities of a high-profile litigation, or looking to avoid court altogether, Steve counsels his clients through the process to ensure they fully understand the risks and opportunities.

### Practices

- Restructuring
- Commercial
- Buyers of Distressed Business Assets
- Creditor, Committee, and Debtor Representation
- Fiduciary Representations
- Financial Institutions, Private Equity Firms and Hedge Funds
- Finance

### Industries

- Automotive
- Consumer Products and Services
- Energy
- Financial Institutions
- Infrastructure
- Manufacturing

### Experience

- Represents the estates in the Refco chapter 11 cases

- Represents the debtor-in-possession in a first-of-its-kind case implicating extensive data privacy and security issues
- Represented a major swap counterparty in the City of Detroit's chapter 9 case
- Represented bondholder committee in a large supermarket restructuring
- Represented several trust creditors in the Madoff SIPA proceedings
- Represented insider and non-insider defendants in a series of actions alleging hundreds of millions of dollars in fraudulent transfer claims
- Represented large institutional lenders, loan purchasers, and servicers in multiple mortgage originator cases

## Credentials

### Education

- New York University School of Law, J.D., 1994  
*The Journal of International Law and Politics*, Senior Editor
- Brooklyn College - City University of New York, B.A., Economics, 1991

### Bar Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

### Clerkships

- Hon. Tina L. Brozman, U.S. Bankruptcy Court, Southern District of New York, Law Clerk (1994-1996)

### Professional Memberships

- American Bankruptcy Institute
- Turnaround Management Association

## Insights

08.20.2020

In The News

Wilamowsky Quoted on Bankruptcy Concerns for Mall Owners

08.20.2020

News Release

*Best Lawyers* Recognizes 59 Schiff Attorneys, Six "Lawyers of the Year," and 21 Ones to Watch

05.07.2020

In The News

Wilamowsky Quoted on Neiman Marcus Bankruptcy Filing

04.30.2020

In The News

Wilamowsky Quoted on Retrieval-Masters Funding Settlement

03.22.2020

In The News

Wilamowsky Quoted on Potential Effects of Social Distancing on Private Colleges

02.13.2020

In The News

Wilamowsky Quoted on Sale of Retail Giant Forever 21

01.21.2020

News Release

Schiff Hardin's National Finance and Restructuring Group Expands With Two New Partners in Chicago & New York

## Publications

- "Forever Again: Is Mall Owners' Purchase of Forever 21 a Sign of a Trend?," *Business Law Today* (Aug. 21, 2020)
- "One Step Back? Ohio Bankruptcy Court Finds That a Hedging Power Purchaser Is Not a 'Forward Contract Merchant' Entitled to the Bankruptcy Code Safe Harbor Protections," (co-author) *Pratt's Journal of Bankruptcy Law* (Jun. 2019)
- "Chapter 7 Ruling Protects Banks for Debtor-Account Dilemma," (co-author) *Law360* (May 3, 2019)
- "SDNY Decision Could Inject Uncertainty in 363 Sales," (co-author) *Law360* (Oct. 11, 2018)
- "A Valuable Precedent on Bankruptcy Vote Designation," (co-author) *Law360* (Jun. 11, 2018)
- "In Lakeridge, Concurring Justices Take the Spotlight," (co-author) *Law360* (Mar. 12, 2018)
- "Third Circuit Confirms Limits of the Rooker-Feldman Doctrine," (co-author) *Law360* (Jan. 22, 2018)
- "On Second Thought: EFH Court's Extraordinary Move," (co-author) *Law360* (Oct. 18, 2017)
- "Justice Deferred: What High Court Won't Review in Lakeridge," (co-author) *Law360* (Apr. 13, 2017)
- "Midstream Oil & Gas Contracts Seeing Changes Following Bankruptcy Court Scrutiny," (co-author) *ACIC Private Notes* (Sep. 2016)
- "Making Public Sector Restructurings Work," *The Wall Street Journal Pro – Bankruptcy* (Jul. 19, 2016)
- "Red or Black? Difficult Decisions Ahead for Atlantic City," (co-author) *Law360* (Jun. 23, 2016)
- "A Cautionary Tale for Over-Secured Creditors," (co-author) *Law360* (May 25, 2016)
- "Municipal Bankruptcy, Atlantic City and Other Games of Chance," *The Wall Street Journal* (May 24, 2016)
- "Last Resort: Municipal Bankruptcy, Atlantic City, and Other Games of Chance," *Daily Bankruptcy Review* (May 24, 2016)
- "A Sui Generis Approach to 'Insider' Status in Bankruptcy," *Law360* (Feb. 17, 2016)
- "11<sup>th</sup> Circ. Restricts Equitable Mootness," (co-author) *Law360* (Jan. 5, 2016)
- "Default Interest in Chapter 11: What Sagamore Partners Means for Lenders," (co-author) *Journal of Taxation and Regulation of Financial Institutions* (Nov./Dec. 2015)
- "EFH Ruling Impairs Creditor Reliance on Indenture Trustees," (co-author) *Law360* (Nov. 12, 2015)
- "The Precedential Value of Sagamore Partners," *Law360* (Jul. 22, 2015)

## Speeches & Presentations

Steve has spoken to dozens of classes at New York-area public and private high schools and colleges about the danger of consumer credit abuse through the public service C.A.R.E. Program.

- "Valuing and Restructuring Distressed Companies in the Face of Operational Headwinds," American College of Investment Counsel (ACIC) Fall Annual Meeting and Education Conference, New York, N.Y. (Oct. 17-18, 2019)

## Citizenship

### Civic and Charitable Memberships

- New York City Bankruptcy Assistance Project, Steering Committee

## Awards & Honors

- The Best Lawyers in America, *Best Lawyers* (2020-2022)
- *New York Metro Super Lawyers*, Thomson Reuters (2006-2012)
- Outstanding Young Restructuring Lawyer, Turnarounds & Workouts (2007)