



Adam M. Lavine

Lawyer

NEW YORK

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Adam Lavine represents debtors, creditors, board members, and other stakeholders in insolvency-related disputes and investigations, often serving as special litigation counsel to participants in Chapter 11 proceedings. Mr. Lavine also advises clients on the monetization and pursuit of high-value claims against principals and stakeholders in distressed situations, particularly in cases involving fraud, misconduct or asset concealment.

Mr. Lavine's insolvency and restructuring experience spreads across a number of industries, including financial services, technology, energy, retail, real estate and pharmaceuticals.

Before joining Kobre & Kim, he practiced in Weil, Gotshal & Manges LLP's restructuring group.

Admissions

- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Southern District of New York

Education

- New York University School of Law, JD
- University of Pennsylvania, BA

Accolades

New York State Bar Association's, President's Pro Bono Service Award (2012)

Select Engagements

Insolvency Disputes and Investigations

Mr. Lavine has represented a variety of stakeholders involved in bankruptcy proceedings related to complex investigations, asset recovery involving fraud, and disputes.

- Representation of certain Swiss banks in defense of multiple fraudulent transfer actions and related appeals arising from the SIPA liquidation of Bernard L. Madoff Investment Securities LLC and the chapter 15 cases of certain Madoff feeder funds.
- Representation of the target of an investigation conducted by a Court-appointed Examiner in a chapter 11 bankruptcy case.

KOBRE & KIM

- Under the Puerto Rico Oversight, Management and Economic Stability Act of 2016 ("PROMESA"), service as independent investigator to the Special Investigation Committee of the Financial Oversight and Management Board for Puerto Rico to perform a comprehensive review of the factors contributing to Puerto Rico's fiscal crisis.
- Representation of the unsecured creditors committee in the SunEdison bankruptcy in the U.S. Bankruptcy Court for the Southern District of New York, in adversary proceedings against first- and second-lien noteholders.
- Representation of the trustee in bankruptcy of the Petters Company Inc., arising from a Ponzi scheme involving US \$5 billion+ in investments, as special counsel for international asset recovery.
- Representation of a retail company in its Chapter 11 case, including a court challenge to the proposed debtor-in-possession financing and litigation concerning various lender liability issues.
- Defense of Lehman Brothers Holdings Inc. in its Chapter 11 case against hundreds of claims filed by former brokerage customers that totaled US \$20 billion+ and a US \$1.2 billion avoidance action claim asserted by Freddie Mac.
- Representation of a global technology company, as the largest creditor in an electronics company's Chapter 11 case, including obtaining a global settlement agreement that resolved disputes related to a US \$1.2 billion failed investment.
- Representation of a grocery chain in its Chapter 11 case, including in the successful defense against numerous court challenges to the grocer's sale of substantially all of its assets.
- Representation of a pharmaceutical company in its US \$495 million acquisition of a bankrupt medical company, including successfully defending against a litigation brought by a group of the medical company's shareholders that sought to unwind the transaction after it had closed.

Professional & Community Involvement

- International Insolvency Institute, NextGen Leadership Program, Member
- Legal Services NYC, Pro Bono Associate Advisory Board, Member
- New York City Bar Association, Member

Publications & Presentations

- Author, "Bankruptcy Court Weighs in on Delaware's Prohibition on Deepening Insolvency Claims and Claims Against Directors Based on Relationship with Majority Shareholder" (LexisNexis Emerging Issues Analysis, 2016)
- Speaker, "Bankruptcy, Restructuring and Workouts" (17th Annual Commercial Real Estate Institute, Practising Law Institute, New York, December 2015)
- Author, "Confirm Now, Transfer Later: A Solution To Venue Problem" (Law360, August 2012)

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- Co-Author, "CDOs: Bankruptcy-Remote, Not Bankruptcy-Proof" (Corporate Counsel, American Bar Association Section of Litigation, June 2012)