



MELAND | BUDWICK



Bankruptcy and Restructuring

<https://mbbkb.aplusdv.com/practice/bankruptcy-and-restructuring/>

Meland Budwick's bankruptcy team is widely recognized for its work representing key stakeholders in bankruptcy reorganization cases and restructuring matters. We routinely represent debtors, official committees of unsecured creditors, lenders, purchasers of assets, and significant creditors. To complement this practice area, we have the ability to leverage our firm's deep bench in commercial litigation, corporate, real estate, and finance law to provide sound, creative, and effective legal solutions to complex issues both in and outside of bankruptcy.

Clients include:

- Debtors
- Creditors
- Committees
- Trustees
- Developers



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Industries:

- Retail
- Healthcare
- Hospitality
- Real Estate
- Pharmaceuticals

The cutting-edge attorneys at Meland Budwick produce amazing work. They are pushing the envelope in every case to create new law and influence the development of the law and standards.”

– Chambers USA 2025

Representative Matters

- Representing the Official Committee of Unsecured Creditors in the Chapter 11 bankruptcy of Eiger BioPharmaceuticals, Inc. in Dallas. Eiger developed four drugs, two of which have already sold for over \$80 million. The firm is negotiating the Chapter 11 plan, helping complete the sale of the remaining drugs, and ensuring unsecured creditors are treated fairly.
- Representing a creditor in the Chapter 11 bankruptcy case of Profundity, LLC. The case involves multiple jet aircrafts and crypto issues.
- Represented the Official Committee of Unsecured Creditors in the Chapter 11 case of a national watch retailer with over 20 locations. The Debtor had more than \$58 million in debt and less than \$18 million in assets. The Firm led efforts to investigate potential claims against insiders, ultimately reaching a settlement that enabled plan confirmation and a meaningful distribution to unsecured creditors.
- Served as Chapter 11 counsel to a technology company specializing in embedded computer systems used primarily in military applications. The company filed for bankruptcy following allegations of fraud and mismanagement by a former officer. The Firm conducted a successful auction of the business, negotiated favorable resolutions with major creditors, and



confirmed a Chapter 11 plan providing a meaningful distribution to unsecured creditors. Now representing the post-confirmation debtor in litigation to recover additional funds.

- Represented 22 medical malpractice claimants in the Chapter 11 cases of Envision Healthcare Corporation. The Firm negotiated favorable plan treatment that preserved the clients' ability to pursue recoveries from Envision's insurance carriers.
- Represented Bluegreen Vacations in the \$10 million bankruptcy case of a debtor that owned a resort in Myrtle Beach, South Carolina. We successfully negotiated significant changes to the sale process for the debtor's property, protecting our client's interests in the resort.
- Represented a commercial landlord in the bankruptcy case of a tenant operating an illegal landfill on the property. We secured dismissal of the bankruptcy case with a two-year bar on refiling, successfully evicted the tenant, and obtained a state court order confirming the landlord's entitlement to attorney's fees.
- Represented the assignee in the assignment for the benefit of creditors of Bolt Mobility, a former micromobility company that provided electric scooters, bikes, and mopeds through partnerships with cities and institutions. Assisted in the successful auction sale of the company's assets.
- Represented a dental practice and affiliates in assignment for the benefit of creditors proceedings in Broward County, Florida. The practices are scheduled to be sold as a going concern in the coming months.
- Representing over 55 personal injury claimants in the Bird scooter bankruptcy in the U.S. Bankruptcy Court for the Southern District of Florida. The company at one time held a market valuation of \$2.5 billion before it was delisted from the New York Stock Exchange.
- Represented The Miami International Medical Center in its chapter 11 bankruptcy case resulting in the sale of the Debtor's medical enterprise to Variety Children's Hospital as well as recovery of significant funds for the benefit of the estate.
- Representation of bankruptcy trustee for two South Florida-based hedge funds that suffered \$651 million in cash-on-cash losses in a \$2 billion Ponzi scheme perpetrated by Thomas J. Petters in Minneapolis, the third-largest financial fraud in U.S. history. Prosecuted more than 140 adversary proceedings, including claims for accountant and attorney malpractice and clawback of



fraudulent transfers, as well as a conspiracy claim against a global financial institution. Successfully prosecuted tort and novel fraudulent transfer claims against BMO-Harris Bank, N.A. resulting in a \$16 million recovery.

Representation of client as a member of the Petters Company, Inc., Liquidating Trust Committee, responsible for overseeing and managing hundreds of millions of dollars in litigation claims.

- Pan American Hospital – represented the successful purchaser of a landmark operating hospital for over \$34 million through a Chapter 11 Section 363 sale.
- Represented the Official Committee of Unsecured Creditors in the Falcon Air bankruptcy.
- Represented Creditors Committee in Cabi Downtown, LLC (Everglades by the Bay) twin 49 story downtown Miami condominium towers with over \$200 million in debt.
- Representation of the official committee of unsecured creditors in a Chapter 11 case of sugar processing and retail business.
- Supra Telecommunications & Systems, Inc. – represented the largest CLEC in the Southeastern United States in its Chapter 11 Reorganization, litigating numerous contentious matters with Bellsouth and successfully reducing Bellsouth's claim from approximately \$170 million to approximately \$37.5 million and ultimately confirmed a plan.
- New World Network International Ltd. – representation of a group of minority shareholders in a telecommunications Chapter 15 bankruptcy pending in the Southern District of New York and litigated whether a foreign proceeding in Bermuda should be recognized as a main proceeding as well as other venue issues.
- Condominium Developer Workouts – during the downturn of the real estate and condominium market, represented numerous developers in workouts with senior secured and mezzanine lenders, including, Corus Bank, Fremont, Key Bank and Ocean Bank.
- New Florida Properties, Inc. (Blue and Green Diamond) – representation of the equity holder and its affiliates in connection with the 630 unit landmark Blue and Green Diamond condominium projects on Miami Beach, Florida. Prosecuted tort claims against the senior secured participating lenders, including, Union Planters and Ocean Bank. MB raised claims against the lenders for equitable subordination and lender liability resulting in the bank group waiving over \$6 million in debt and agreeing to permit the equity holder



to retain control over the disposition of the units.

- Representation of the Chapter 7 Trustee and Michael Budwick served as the receiver appointed by the United States District Court in a \$19 million Ponzi scheme case perpetrated by Thomas Abrams. Brought a variety of litigation claims and reached a multi-million dollar settlement of an aiding and abetting claim against Fidelity Federal Bank & Trust, N.A.
- Represented group of major clawback defendants in Lancer Partners financial fraud case.
- Represented largest creditor in Evergreen Securities bankruptcy in Orlando, Florida, involving \$214 million ponzi scheme.
- Represented largest victim in Ponzi scheme perpetrated by Scott Rothstein and Rothstein Rosenfeldt & Adler, P.A. law firm in Fort Lauderdale.
- Represented Hyperion Partners in connection with acquisition of loan encumbering the Onyx Condominium project, related litigation and bankruptcy to gain control of project, modification of condominium documents and end sale of balance of acquired condominium units.
- Florida Development Associates – represented the debtor developer of a new construction \$110 million luxury condominium project in South Beach with approximately 189 units. After successfully negotiating a \$49 million debtor in possession loan and subordinating \$10 million of the mezzanine lender's claim, a Chapter 11 plan of reorganization was confirmed. Thereafter modified condominium documents and negotiated and conducted closings of all condominium units.
- Represented Lexi Development Company, Inc., the owner of the Lexi condominium mixed use development, in its Chapter 11 bankruptcy, in which the Debtor successfully eliminated default interest, avoiding foreclosure and preserving equity for the benefit of the Debtor's principals.
- Condominium Developer Workouts – during the downturn of the real estate and condominium market, representing numerous developers in workouts with senior secured and mezzanine lenders, including, Corus Bank, Fremont, Key Bank and Ocean Bank.
- Court appointed Mark S. Meland as Receiver for Innovida Companies run by Claudio Osorio. After discovering an approximately \$50 million fraud, ceased operations and filed Chapter 11 for numerous entities. Mark S. Meland was appointed the Chapter 11 Trustee and liquidated tangible assets. Firm serves as litigation counsel to the Chapter 7 trustee in numerous avoidance and tort



actions seeking to collect funds for defrauded investors.

- Represented a group of major clawback defendants in the Nevin Shapiro ponzi bankruptcy case who were sued for more than \$50 million. Obtained a very favorable ruling on a motion to dismiss which led to settlement of the case at less than 1.5% of the originally sought amount.
- Puig, Inc. – representation of the Official Joint Committee of Unsecured Creditors and then the Plan Administrator in connection with 26 debtor affiliates in the business of condominium conversions. The asserted unsecured claims exceeded \$100 million. Prosecuted claims against third parties include actions for avoidance of transfers, professional malpractice, usury, fraud and breach of fiduciary duty.
- Representation of a PEO in the purchase of assets from the debtor, which involved the settlement of significant litigation claims.
- In re Sundale and Kendall Hotel & Suites – Represented the debtors, who owned a large tract of real estate with an operating hotel, in their Chapter 11 proceedings. The debtors confirmed a Chapter 11 plan of reorganization.
- Successfully reorganized a 147-unit condominium hotel in South Florida in a chapter 11 reorganization proceeding. Successfully negotiated with multiple levels of secured and unsecured creditors to obtain a highly favorable result.
- Represented Creditors Committee in Cabi Downtown, LLC (Everglades by the Bay); twin 49 story downtown Miami condominium towers with over \$200 million in debt.
- Represented 3900 Biscayne, LLC, the owner of the property formerly known as the Channel 10 property on Biscayne Blvd. in Miami, in its chapter 11 reorganization from which the Debtor emerged with a confirmed plan after successfully resolving its disputes with BB&T Bank and its other creditors, avoiding foreclosure and preserving equity for the benefit of equity holders.
- Condominium Developer Workouts – during the downturn of the real estate and condominium market, representing numerous developers in workouts with senior secured and mezzanine lenders.
- Representation of the official committee of unsecured creditors in Chapter 11 case of Banah International.
- Represented 1433 Collins, LLC, the purchaser of the senior secured loan in the chapter 11 bankruptcy of The Carlton Hotel which loan 1433 successfully sold during the bankruptcy case.
- Representation of bankruptcy trustee for two South Florida-based hedge funds



that suffered \$1.1 billion in losses in connection with the \$3.5 billion Ponzi scheme perpetrated by Thomas J. Petters in Minneapolis, the third-largest financial fraud in U.S. history. Prosecuted more than 140 adversary proceedings, including claims for accountant and attorney malpractice and clawback of fraudulent transfers, as well as a \$1.1 billion conspiracy claim against one of the nation's largest financial institutions. Successfully prosecuted common law tort and novel fraudulent transfer claims against BMO Harris Bank, N.A. resulting in a recovery of \$16,000,000. Representation of client as one of three members of the Petters Company, Inc., Official Committee of Unsecured Creditors in Minnesota.

- Successfully represented note purchaser in bankruptcy filing of obligor-debtor, a commercial real estate owner, resulting in full payment (including interest, attorney's fees) to the client in the millions of dollars.
- Successfully reorganized a Miami-based international freight-forwarding company through the chapter 11 bankruptcy process. For various strategic reasons, speed was of utmost importance. The Plan of Reorganization was confirmed approximately 120 days from the Petition Date.
- Representation of bankruptcy trustee for two south florida based hedge funds that suffered \$1.1 billion in losses in connection with the \$3.5 billion Ponzi scheme perpetrated by Thomas J. Petters in Minneapolis, the third largest financial fraud in U.S. history. Prosecuted over 140 adversary proceedings including claims for accountant and attorney malpractice and clawback of fraudulent transfers as well as a \$1.1 billion conspiracy claim against one of the nation's largest financial institutions. Representation of client as one of three members of the Petters Company, Inc. Official Committee of Unsecured Creditors in Minnesota.
- Represented Sagamore Partners, Ltd., the owner of Sagamore, The Art Hotel located on South Beach, Florida, in its chapter 11 reorganization from which the Debtor emerged with a confirmed plan and successfully reinstated its CMBS secured loan obligations, while avoiding the payment of more than \$8 million in default interest and attorney's fees over the objection of the special servicer, LNR Partners, LLC. Successfully avoided foreclosure and preserved equity for the benefit of the Debtor's principals.
- Representation of bankruptcy trustee for two South Florida-based hedge funds that suffered \$1.1 billion in losses in connection with the \$3.5 billion Ponzi scheme perpetrated by Thomas J. Petters in Minneapolis, the third-largest



financial fraud in U.S. history. Representation includes prosecuting a \$1.1 billion conspiracy claim against one of the nation's largest financial institutions.

- Represented an owner of commercial property in its tenant's bankruptcy proceedings. Successfully dismissed tenant's bankruptcy case allowing a property owner to enforce its rights under Florida law and retake possession of the property.
- Represented a bankruptcy trustee in a fraudulent transfer action that resulted in the successful recovery of assets for the bankruptcy estate.
- Pro bono representation of an individual Chapter 7 debtor on appeal from the bankruptcy court's denial of a mortgage bank's motion to reopen the bankruptcy case and compel surrender of the debtor's home.
- Representation of a developer in its Chapter 11 recognition of a multi-use condominium project.
- Represented pro bono debtor in Chapter 7 proceedings and achieved a successful discharge of his debts.
- Represented Miami-based company in the fire protection and electric services industry in the sale of their business via a chapter 11 proceeding. Successfully preserved the value of the assets and the jobs of more than 70 employees.
- Represented Sagamore Partners, Ltd., the owner of Sagamore, The Art Hotel located on South Beach, Florida, in its chapter 11 reorganization from which the Debtor emerged with a confirmed plan and successfully reinstated its CMBS secured loan obligations, while avoiding the payment of more than \$8 million in default interest and attorney's fees over the objection of the special servicer, LNR Partners, LLC. Successfully avoided foreclosure and preserved equity for the benefit of the Debtor's principals.
- Confirmed Chapter 11 Plan for upscale South Beach restaurant.
- Representation of affiliate of BBX Capital in connection with protecting its interests as a secured creditor Chapter 11 bankruptcy of Robovault high tech storage facility in Fort Lauderdale.
- Representation of the chapter 7 bankruptcy trustee of an entity through which its principal operated a \$40+ million ponzi scheme. The principal has been sentenced to more than 15 years in prison.
- Representation of a secured creditor in a Chapter 11 bankruptcy case filed in the Southern District of Florida concerning a tract of land located in Brooklyn, New York. MB filed and prosecuted a motion to dismiss the Chapter 11 case, which ultimately led to the debtor dismissing its Chapter 11 case.



- Representation of insurance company in defense of fraudulent conveyance action brought by bankruptcy trustee. Following protracted litigation, obtained very favorable settlement.
- Represented owner of Grand Bay Hotel in Coconut Grove in workout with lender.
- Represented multiple Chapter 7 Trustees in avoidance and turnover actions.
- Represented Marvel-Schebler Aircraft Carburetors as special litigation counsel in the bankruptcy case of AVStar Fuel Systems, Inc. in dispute involving trademark violations.
- Represented Airline Container Leasing in defense of action alleging preferences and fraudulent transfers of over \$1 million.
- Represented Pescanova, Inc., one of the top 50 seafood commerce companies in the United States, as creditor in the bankruptcy case of The Great Atlantic & Pacific Tea Company, Inc.
- Represented Presidential Homeowners Association, Inc. in bankruptcy cases of Presidential Club, LLP and Presidential Golf Maintenance Association, Inc. Sought and obtained dismissal of the bankruptcy cases of the debtors.
- Represented 21 Asset Management Holding, LLC in bankruptcy case of 2638 Singer Island, LLC. Sought and obtained bad faith dismissal of the bankruptcy case of the Debtor.
- Representation of a California-based fund, handled bankruptcy-related issues and worked with state court counsel to successfully obtain \$60 million judgment against an entity who operated a financial fraud. Also, obtained a \$17.5 million non-dischargeable judgment against the entity's principal in his individual chapter 7 bankruptcy case.
- Represented judgment creditor against insurance company, and successfully defeated the insurance company's claims that actions could not be brought against it as a result of the insured debtor's discharge in bankruptcy.
- Represent numerous Chapter 7 bankruptcy trustees in corporate and individual Ch. 7 cases. Routinely advise trustees in the connection with the sale of estate assets pursuant to Section 363, prosecution of avoidance claims and prosecution of Section 727 actions.
- Representation of group of defendants sued by bankruptcy trustee under various theories of fraudulent transfer in connection with transfers totaling approximately \$14 million.
- Representation of defendants in fraudulent transfer adversary proceedings



involving unresolved issues of law concerning use of the Internal Revenue Service as the triggering creditor. Representation led to a favorable global settlement of multiple pending adversary proceedings.

- Represented group of guarantors of a \$19.6 million credit facility collateralized by real estate, and negotiated a settlement that included a discount payment to release the guarantors and a release of the lender's mortgage lien on the real estate at issue.
- Represented Chapter 7 bankruptcy trustee of All Star Mortgage Financial. The representation included selling real property pursuant to Section 363 of the Bankruptcy Code, and prosecuting claims against third parties, including claims for the avoidance of transfers, professional malpractice, fraud and breach of fiduciary duty.
- Representation of a Chapter 7 bankruptcy trustee of a liquor store. This case required operating the business for a limited period of time while in Chapter 7, and the 363 sale of the liquor license owned by the debtor.
- Representation of a leading international fruit company in the Chapter 7 bankruptcy case of an individual debtor.
- Representation of the Chapter 7 bankruptcy trustee in the Chapter 7 bankruptcy filing of a high profile Miami developer. After the filing of a complex lawsuit and the recordation of a lis pendens against numerous properties located in Miami-Dade and Broward counties, the Debtor waived his right to a Chapter 7 discharge and settled certain transfers with the bankruptcy estate for \$1.1 million.
- Represented multiple landlords in the Winn Dixie Bankruptcy Cases.
- Represented landlords and creditors in multiple retail bankruptcies including Casual Male, Kmart, Warnaco, Filene's Basement, Boscov's Department Stores, Mervyn's Department Store, Gordmans Stores, Inc., Ritz Camera and Image.
- Represented the Trustee in Bal Harbor Quarzo bankruptcy case as special litigation counsel to recover funds for the benefit of the estate and creditors.
- Represented Music Royalty Consulting, Inc. in the bankruptcy matter of recording artist and music producer, Scott Storch.
- Represented major television network in The Weinstein Companies bankruptcy.
- Represented well known jeweler in its liquidation.
- Represented the Trustee in the PRGI bankruptcy case and recovered significant funds from creditors through litigation.



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- Representation of a Chinese steel conglomerate in the bankruptcy case of the Plantation Fashion Mall. Successfully secured client's position as the largest creditor in the case, and obtained a settlement with the bankruptcy trustee ensuring it received over 90% of the funds distributed by the bankruptcy trustee. The amount at issue was in excess of \$100MM.

Related Attorneys

- [Howard Berlin](#) (Of Counsel)
- [Alexander E. Brody](#) (Associate)
- [Michael S. Budwick](#) (Partner and Co-Chair, Financial Fraud Group)
- [Joshua W. Dobin](#) (Partner)
- [Jacob R. Friedman](#) (Of Counsel)
- [Solomon B. Genet](#) (Partner and Co-Chair, Financial Fraud Group)
- [Daniel N. Gonzalez](#) (Partner)
- [James C. Moon](#) (Partner)
- [Meaghan Murphy](#) (Partner)
- [Tiffany A. Winchester](#) (Of Counsel)

News

- [Meland Budwick Recognized in the 2026 Edition of Best Law Firms® by Best Lawyers®](#) (Dec. 09, 2025)
- [When Personal Injury Meets Bankruptcy: What Trial Lawyers Need to Know](#) (Aug. 21, 2025)
- [6 Meland Budwick Attorneys Named Among Lawdragon's 2025 500 Leading Global Bankruptcy & Restructuring Lawyers](#) (Jul. 16, 2025)
- [Five Meland Budwick Attorneys Named 2025 Florida Super Lawyers](#) (Jun. 26, 2025)
- [Meland Budwick, P.A. Recognized in the 2025 Edition of Chambers USA](#) (Jun. 05, 2025)

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