

Practice Contact

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Bankruptcy and Creditors' Rights Litigation

Our attorneys regularly represent clients throughout Ohio and the United States in bankruptcy court litigation and other actions involving the rights and interests of creditors.

In the highly specialized bankruptcy court environment, our lawyers offer the skills, knowledge, and experience that are essential to the protection of our clients' interests when they are placed at issue in a bankruptcy proceeding. Matters in which we have represented the interests of clients in bankruptcy courts include:

- Defending and prosecuting preference claims, fraudulent transfer claims, and other avoidance actions
- Presenting Proofs of Claim on behalf of creditors and objections to creditor claims
- Litigating disputes concerning the secured status of claims and the value and validity of security interests in collateral
- Litigating claims by bankruptcy estates, trustees, and debtors that arise under state law or other non-bankruptcy law
- Securing relief from, or obtaining enforcement of, the automatic stay and discharge injunction
- Advocating creditors' rights of setoff, recoupment, and reclamation
- Litigating plan confirmation issues

Protection of creditors' rights outside the bankruptcy context also is a key focus of our litigation practice. Representative proceedings in which we have assisted clients in the protection and enforcement of their rights as creditors include:

- Actions for pre-judgment attachment, replevin, and other provisional remedies
- Actions on cognovit notes and other negotiable instruments
- Receivership litigation

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- Actions seeking injunctions against the misuse or concealment of collateral
- Foreclosure proceedings
- Actions involving post-judgment garnishments, attachments, executions, and other available collection remedies