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## PRACTICE AREAS

Bankruptcy and Insolvency  
State Court Receiverships  
Business Disputes  
Assignments for the Benefit of the Creditor  
Creditor/Lender Litigation  
Advises and Represents Companies in Financial Distress and Management Groups of Insolvent Companies with respect to their obligations while in the zone of insolvency  
Commercial Litigation  
Law Firm Management, Break-ups and Dissolutions  
Acquisition of Distressed Debt

Thomas R. Lehman is a founding partner. Mr. Lehman focuses his practice on bankruptcy, insolvency, employment practices defense, representation of insureds in insurance coverage disputes, defending real estate brokers in disputes with buyers and sellers, and other business law matters in South Florida.

## AREAS OF EXPERIENCE

- Bankruptcy and Insolvency
- Defending Retail and Real Estate companies against State and Federal employment practices claims and consumer law claims
- State Court Receiverships
- Business Disputes
- Assignments for the Benefit of Creditors
- Creditor/Lender Litigation, including foreclosures and debt restructuring and representation of judgment creditors levying execution on difficult and unusual assets of judgment debtors
- Advises and Represents Companies in Financial Distress and Management Groups of Insolvent Companies with respect to their obligations while in the zone of insolvency
- Commercial Litigation, including representing insureds in insurance coverage litigation, developers in disputes with general contractors and subcontractors, insureds in coverage disputes with insurers and real estate brokers in disputes with buyers and sellers
- Law Firm Management, Break-ups and Dissolutions
- Acquisition of Distressed Debt

## AWARDS AND RECOGNITIONS

- Listed in *The Best Lawyers in America*.
- Listed in Chambers USA, Bankruptcy/Restructuring (2012).
- Listed in *South Florida's Best Lawyers* (2011 Edition).
- Listed in *Florida Super Lawyers*.
- Listed in Florida *Trend Magazine Legal Elite*.
- Listed in *South Florida Business Leader*, as 2010 Legal Impact Leader.
- Authored articles on the new amendments to the Bankruptcy Code for the financial and legal press and is frequently quoted in the press as an expert on bankruptcy, insolvency, receivership, debtor/creditor litigation and law firm management matters, including *The Miami Herald*, *New York Times*, and *Daily Business Review*. Served as a member of the Daily Business Review Advisory Board.
- Martindale-Hubbell "AV" Rated.

## SIGNIFICANT REPRESENTATIONS

- Successfully represented statewide affordable housing developer in its suit against its insurer over coverage of ADA and Fair Housing Act claims brought against its 49 properties.
- Successfully represented a condominium developer and recovered a judgment against general contractor in trial of developer's lawsuit for breach of construction agreement and termination for cause.
- Represents debtors, creditors' committees, landlords, individual creditors, management groups, and bankruptcy litigation targets in bankruptcy cases and represents asset purchasers and competing plan proponents in hostile and friendly takeovers of businesses in Chapter 11.
- Represents institutional lenders and borrowers in pre-bankruptcy workouts, related commercial and real estate transactions and foreclosure litigation. Currently represents institutional lenders, **Branch Banking and Trust Company** and **Gibraltar Private Bank and Trust Co.** in bankruptcy matters.
- Served as counsel for the Federal Court Receiver in the **Servco** and **GMI Minerals** ponzi scheme cases and State Circuit Court receivers (**Vis Auto Finance**, an auto finance company, and **Global Investments, Inc.**, gasoline stations and markets).
- Served as counsel for the bankruptcy trustees in the **Calusa Country Club**, Chapter 11 reorganization and **ESM** and **Omni Capital Group**, Inc. matters.
- Served as counsel for the Chapter 11 debtors-in possession in the **South Motors Companies** (\$93 million of debt), **Artecity** (\$70 million debt), **Florida West Airlines** (\$24 million of debt), **Beverage Cannors International Corp.** (\$63 million of debt), **CHS Electronics, Inc.** (\$725 million of debt), **New Florida Properties** (\$102 million of debt), **Reptron Electronics Corp.** (\$120 million of debt), **Americare Retirement Facilities, Ltc.** and **Stratus Pharmaceuticals** Chapter 11 reorganizations.
- Represented members of the management in the successful Chapter 11 reorganization of **Model Imperial, Inc.** (\$77 million of debt) and successful out of court restructurings of **New Piper Aircraft Corp** (\$74 million of debt) and liquidation of **Orion Bancorp** and subsidiary.
- Frequently counsels other law firms and lawyers in connection with law firm break-ups, dissolutions and law firm management.
- Represented a statewide real estate affordable housing developer in its successful debt-restructuring negotiations and litigation involving multiple apartment rental, condominium, retail and townhome properties. Have also represented a Georgia developer to resolve its restructuring efforts for its Florida properties and other Florida developers on the restructuring of their acquisition and development loans, and a Florida auto premium finance company and a Florida subprime mortgage company on their restructuring or liquidation efforts after defaults on their working capital loans with institutional lenders.

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# THOMAS R. LEHMAN

FOUNDING PARTNER



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- Represented **DHS Diversified Health Services**, a secured lender on its takeover of a South Florida nursing home facility. Represented **Beverage Cannery Int'l. Corp.** in its hostile takeover of **Accapella Water Co.** a Chapter 11 debtor-in-possession, through a competing Chapter 11 reorganization plan and represented Jason Atlantic Corp. on its hostile takeover of the bankruptcy debtor, **South Florida Concert Association, Inc.**, through a competing Chapter 11 plan process.
- Represented **Driscoll Electric Co.** in the liquidation of its business.
- Represented a medical practice in utilizing the Florida Assignment for the Benefit of Creditors law, to force a resolution of a stockholder deadlock and currently represent a large dental practice in debt restructuring negotiations with lenders and new investors.
- Represented bicycle retailer, **BikeStreet Retail LLC**, in the out of court liquidation of its 16 stores in three states.
- Represented statewide property manager of 1,092 residential units in its successful Chapter 11 case.
- Represented a multi-dentist dental practice on the debt restructure and short sale of the practice.

## BAR AND COURT ADMISSIONS

- Florida
- United States District Court for the Southern District of Florida
- United States District Court for the Middle District of Florida
- United States Bankruptcy Court
- United States Court of Appeals

## EDUCATION

- Middlebury College, Middlebury, Vermont (B.A.)
- University of Miami School of Law (J.D., *magna cum laude*)

## PROFESSIONAL AND COMMUNITY INVOLVEMENT

- American Bar Association, Member
- Bankruptcy Bar Association, Member
- The Florida Bar, Member
- Board of Trustees for the Miami-Dade County Public Health Trust, the governing body for Jackson Memorial Hospital, Former Member
- Greater Miami Jewish Federation, Member
- American Israel Public Affairs Committee (AIPAC), Member
- South Florida Daily Business Review Advisory Board, Member



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