David M. Levine
Of Counsel

E | dml@lklsg.com
D | 305.403.8790
F | 305.403.8789

PRACTICE AREAS

Bankruptcy, Receivership
Creditors' Rights
Complex Commercial Litigation

David M. Levine, a founding partner, is currently Of Counsel to the Firm. He serves as Co-Chair of the Firm's Bankruptcy and Receivership Group. Mr. Levine has represented a wide range of clients in major and complex litigation matters, loan and business workouts, business and bankruptcy reorganizations, and United States Securities and Exchange Commission and other federal and state enforcement proceedings. His clients have included creditors, committees of creditors, including banks and other lending institutions, equity receivers, trustees, debtors, and acquiring entities. Mr. Levine (as indicated below) has also been appointed by the federal and state courts as an equity receiver in many noteworthy cases.

AREAS OF EXPERIENCE

- Bankruptcy, Receivership
- Creditors' Rights
- Complex Commercial Litigation

AWARDS AND RECOGNITIONS

- Listed in ***The Best Lawyers in America*** as one of the best creditors' rights and insolvency lawyers in America (1993-2017).
- Listed in ***Chambers USA, Bankruptcy/Restructuring.***
- Listed in ***Florida Super Lawyers.***
- Listed in the ***South Florida Legal Guide***, as one of the best lawyers in South Florida.
- Voted by the ***Daily Business Review*** as one of South Florida's Most Effective Lawyers for the years 2005 and 2007 in the areas of bankruptcy and federal receivership law.
- Listed in ***South Florida Business Leader***, as 2010 Legal Impact Leader.
- Martindale-Hubbell "AV" Rated.
- Authored and lectured for The Florida Receiver's Forum and The Florida Bar Continuing Legal Education Committee.Presentations:
  - ***"Florida Receiverships: Making Order Out of Chaos"; "Representing Lessors of Real and Personal Property: The Treatment of Leases Under the Bankruptcy Code."***
  - Mealey's Symposium titled ***"Life Insurance in the Secondary Market -When Secondary Market Entities Tank."***

SIGNIFICANT REPRESENTATIONS

- Served as lead insolvency counsel for committees of creditors, creditors, Chapter 11 debtors and bankruptcy trustees in many major cases, including:
  - ***In re O.W. Bunker USA, Inc. (Carnival Corporation).***
  - ***In re Fontainebleau Las Vegas*** (Fidelity National Title Insurance Company and First American Title Insurance Company).
  - ***In re Taylor, Bean & Whitaker Mortgage Corp.*** (American Express Co. and affiliates).
  - ***In re Nevin Shapiro and Capitol Investments USA, Inc.*** (American Express Co. and affiliates).
  - ***In re Braniff, Inc.*** (Committee of Note Holders).
  - ***In re Model Imperial, Inc., et al.*** (Committee of Unsecured Creditors).
  - ***In re Bertram-Trojan, Inc.*** (Committee of Unsecured Creditors).
  - ***In re ESM Government Securities, Inc.*** (Chapter 7 Trustee).
  - ***In re Arrow Air, Inc.*** (Committee of Unsecured Creditors).
  - ***In re SeaEscape Cruises, Ltd.*** (Committee of Unsecured Creditors).
  - ***In re Chase & Sanborn Corporation, et al.*** (Chapter 11 debtors).
  - ***In re Atlas Air, Inc., et al.*** (co-counsel for Wilmington Trust Company, as indenture trustee).
  - ***Pan American Airways Corp.*** (Micky Arison as principal shareholder and guarantor of bank debt).
- Represented various banks and lending institutions in the enforcement and workout of loans in both non-bankruptcy and bankruptcy proceedings.
- Serves as the court appointed conservator in the case of ***State of Florida Department of Insurance vs. Future First Financial Group, Inc., et al., where investor claims total over $200 million.***
- Served as the federal equity receiver in the case of ***Securities and Exchange Commission vs. Viatical Capital, Inc., et al.,*** where investor claims totaled over $50 million. Investors have received returns of over 55% of their losses.
- Served as counsel to the federal equity receiver in the case of ***Securities and Exchange Commission v. Pension Fund of America, et al.***, where investor claims totaled $70 million. Investors have received returns of over 65% of their losses.
- Served as an equity receiver in the following cases:
  - ***United States Securities and Exchange Commission v. Comcoa, Ltd.***
  - ***United States Securities and Exchange Commission v. Thomas Berger***
  - ***United States Securities and Exchange Commission v. TransAmerica Wireless Systems, Inc.***
  - ***United States Securities and Exchange Commission v. Medco, Inc.***
  - ***United States Securities and Exchange Commission v. Sun State FX, Inc.***

Levine
Kellogg
Lehman
Schneider+
Grossman LLP

201 South Biscayne Boulevard
22nd Floor, Miami Center
Miami, Florida 33131

David M. Levine
Founding Partner

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- Served as lead counsel to the equity receiver in the following cases:
  - ***United States Securities and Exchange Commission v. ESM Group et al.*** (United States District Court for the Southern District of Florida).
  - ***United States Securities and Exchange Commission v. Telfran Associates, Ltd.***(United States District Court for the Southern District of New York).
- Served for three years as an Assistant District Attorney in Kings County, New York.
- Former Partner in charge of the Florida office of a prominent national law firm.

Bar and Court Admissions

- Florida and New York
- United States Court of Appeals, Eleventh Circuit
- United States District Courts for the Southern and Middle Districts of Florida
- United States Bankruptcy Court

Education

- Wesleyan University (B.A., *cum laude*, 1971)
- Brooklyn Law School (1974)

Professional and Community Involvement

- Bankruptcy Bar Association of the Southern District of Florida, Member (Former Director)
- The Florida Bar, Member

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