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Michael is a partner in the firm's Bankruptcy and Restructuring and Litigation Groups. His primary areas of practice are commercial insolvency and reorganization, commercial litigation, construction law and administrative law. He has represented corporate and other business debtors, creditors, official committees of unsecured creditors, bankruptcy trustees and other parties in interest in bankruptcy proceedings in United States Bankruptcy Courts in numerous districts, including Massachusetts, New York and Delaware.

Michael has also prosecuted and defended claims on behalf of clients in state and federal trial and appellate courts involving matters such as fraudulent and preferential transfers, director and officer liability and insurance coverage claims, construction defects, and the enforcement of construction liens and bonds. In addition, Michael has advised and represented various parties to distressed merger and acquisition transactions, as well as asset and stock transactions. Michael also frequently represents licensed professionals and tradesmen in administrative enforcement and disciplinary proceedings before various state licensing boards and commissions. Prior to joining the firm in 2001, Michael served as a Law Clerk to the Honorable Joel B. Rosenthal of the United States Bankruptcy Court for the District of Massachusetts.

#### NOTABLE EXPERIENCE

- Lead trial counsel for a large energy industry supplier and contractor in state court litigation involving the prosecution of multi-million dollar back charge and indemnity claims, and the defense of the client against a subcontractor's multi-million dollar claims for delay, inefficiency, and lost productivity in the course of a retro-fit installation of mercury and sulfur dioxide emissions reduction equipment on two 250 megawatt fossil-fueled steam electric generating units in Somerset, Massachusetts.
- Served as lead counsel to the bankruptcy trustee of an e-commerce software development company seeking the recovery as fraudulent conveyances excess compensation, bonuses, and severance payments made to insiders resulting in the payment to the bankruptcy estate of a substantial six-figure settlement through informal mediation and settlement exchanges.
- Lead counsel for subcontractor in prosecution of Miller Act claims and other related claims for delay and inefficiency damages arising on federal project in Boston, Massachusetts.
- Lead counsel to the official creditors' committee in the Chapter 11 case of a multi-divisional electrical contractor that included the successful recovery and collection of a substantial judgment for fraudulent conveyance and improper shareholder distribution claims against one of the debtor's former shareholders.
- Represented the creditors' committee and then the post-confirmation Liquidating Supervisor of a credit card servicing company in suits against former officers and employees.
- Served as lead defense counsel for the former president of a commercial and industrial oven manufacturer in an action involving claims of breach of fiduciary duty, and successfully obtaining full insurance coverage and full indemnity for the client in the complete settlement of those claims.
- Initiated bankruptcy court litigation on behalf of the bankruptcy trustee of a large excavation and site contractor for fraudulent conveyance and civil fraud conspiracy claims against insiders resulting in the payment to the bankruptcy estate of a substantial six-figure settlement through informal mediation.

- Represented a critical, just-in-time supplier to an American light truck manufacturer in the distressed, out-of-court going-concern disposition of its business assets, which resulted in the satisfaction of substantially all creditor claims and the continued operation of the business and the employment of its personnel.
- Initiated bankruptcy and state court litigation on behalf of a large energy industry supplier and contractor to create, perfect and enforce its state law mechanic's lien on a hydro-electric power generation facility, resulting in full payment of its seven-figure claim.
- Initiated bankruptcy and state court litigation on behalf of a cabinet and millwork supplier to create, perfect and enforce its state law mechanic's lien and related payment bond claims, resulting in a six-figure settlement recovery for the client.
- Documented, investigated and successfully resolved, through litigation and mediation, construction defect claims and related claims for breach of contract, negligence and unfair trade practices, with damages totaling in excess of \$2 million, asserted on behalf of the owner of a residential apartment building.
- Lead counsel to assignee for benefit of creditors of a biomedical company that developed DNA based diagnostic testing protocols, which resulted in distributions to unsecured creditors from sale proceeds of intellectual property and other assets.
- Lead counsel to assignee for benefit of creditors of technology company that developed three dimensional video modeling software and source code resulting in distributions to unsecured creditors after marketing and sale of tangible and intangible technology assets.
- Lead counsel to assignee for benefit of creditors of business-to-business seller of product content and commerce solutions for manufacturers, where assignee successfully marketed and sold the company's tangible assets and intellectual property, resulting in distributions to unsecured creditors.
- Counsel to the official creditors' committee in the Chapter 11 case of a high-end jewelry and watch retailer.
- Counsel to the official creditors' committee in the Chapter 11 case of a multi-state clothing retailer.

## BAR ADMISSIONS

- Commonwealth of Massachusetts
- United States District Court for the District of Massachusetts
- United States Court of Appeals for the First Circuit

## MEMBERSHIPS

- Boston Bar Association
- Massachusetts Bar Association
- American Bankruptcy Institute
- Turnaround Management Association

## AWARDS AND PROFESSIONAL RECOGNITION

- AV Peer Review Rated
- Named as a "Rising Star," *Massachusetts Super Lawyers – Rising Stars Edition*, 2005-2009
- Named as a "Super Lawyer," *Massachusetts Super Lawyers – Rising Stars Edition*, 2011

## EDUCATION

- Suffolk University Law School, Juris Doctor, *cum laude*, 2000
- Suffolk University College of Arts and Sciences, Bachelor of Science, *magna cum laude*, 1997

## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Panel Speaker, 12th Annual New England Bankruptcy Law Conference 2010, Massachusetts Continuing Legal Education, October 2010
- Co-author, *Objection to Discharge and the Advice of Counsel Defense*, Massachusetts Continuing Legal Education (2010)
- Panel Speaker, *How to Organize a Privately Owned Business*, Massachusetts Continuing Legal Education, October 2010
- Panel Speaker, *Diagnosing Causes of Business Failure*, American Bankruptcy Institute Northeast Bankruptcy Conference, July 2008
- Panel Speaker, *Kicking Over the Chessboard: Everything a Civil Litigator Needs to Know When Another Party Files Bankruptcy*, Massachusetts Continuing Legal Education, April 2006
- Panel Speaker, *Representing Low-Income Debtors in Bankruptcy*, Massachusetts Continuing Legal Education, January 2005
- Panel Speaker, *De-Mystifying Bankruptcy*, Boston Bar Association, September 2003