

Bankruptcy Litigation & Investigations

Large corporate bankruptcies and companies in financial distress often spawn a complex web of claims by lenders, trustees, debtors, creditors, creditors' committees, investors, shareholders, and other constituents. Attorneys in Winston & Strawn's complex commercial litigation group and special situations and restructuring group serve as trusted advisors and resolute advocates to protect clients' business interests and assets in multifaceted Chapter 11 cases and bankruptcy-related disputes.

In troubled company settings, we regularly investigate and litigate matters involving a wide array of fiduciary and business tort issues, including fiduciary duty and agency disputes; director, officer, and professional liability claims, and related authority issues; direct vs. derivative shareholder claim ownership disputes; fraudulent and preferential conveyances; unwinding of derivatives and commodities trading books; disguised loan and other property of the bankruptcy estate disputes; treatment of insurance coverage; alter ego and equitable remedies; and lender-debtor disputes.

Winston attorneys also have extensive experience in adversary proceedings, contested matters, and confirmation proceedings in Chapter 11 bankruptcies. We have advised and represented parties in some of the highest-profile cases in the United States, including ResCap, Los Angeles Dodgers, Lehman Brothers, Enron, People's Choice Home Loan, Pacific Gas and Electric, Chicago Tribune, Touch America Holdings, and the city of Stockton, California.

Our firm's bankruptcy litigators are some of the most seasoned in the industry, bringing extensive courtroom experience to every matter our firm handles. This experience enables us to spot outcome-determinative legal issues earlier so we can prepare compelling arguments that support our clients' positions. Our long history of taking cases to trial—and winning—gives our clients tremendous settlement leverage with their adversaries, as well as confidence in a successful outcome if and when they go to trial.

We also offer the full complement of additional services to assist clients with bankruptcy-related litigation, including corporate finance, asset sale and purchase, mergers and acquisitions, securities, tax, real estate, insurance, white-

collar and regulatory defense, investigations, employee benefits and executive compensation, and environmental law.

Related Capabilities

Special Situations & Restructuring

White Collar & Government Investigations

Related Insights & News

CLIENT ALERT

In Landmark Ruling, Bankruptcy Court Upholds “Uptier” Transaction in Serta Simmons Bedding Case

APRIL 19, 2023

IN THE MEDIA

Greg Gartland Speaks with *Bloomberg Law* About Judge’s Ruling in Serta 2020 Restructuring Deal

APRIL 13, 2023

IN THE MEDIA

Craig Rasile Discusses the Potential Increase of Bankruptcy Work in 2023 with *Daily Business Review*

MARCH 6, 2023

ARTICLE

Classifying Creditors in Digital Asset Bankruptcy Cases

SEPTEMBER 20, 2022

ARTICLE

Recovering Digital Assets in Chapter 11 Bankruptcy

JULY 29, 2022