

# Darren A. Pascarella

Counsel

Uniondale

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Darren Pascarella is a bankruptcy and creditors' rights lawyer and commercial litigator. Darren represents, among others, secured and unsecured creditors, lessors, mortgagees, commercial landlords, condominiums and homeowners associations and businesses in an array of commercial disputes in and out of bankruptcy court. Darren also represents creditors' committees, chapter 11 trustees and court-appointed receivers.

Darren is particularly known for his work involving equipment leasing and financing transactions across many industries, including transportation (aircraft, vessels, rail, motor vehicles, and trailers), medical, and construction. He represents lenders and lessors in litigation in state and federal courts throughout the United States, in connection with equipment recovery, fraud investigations and actions, workouts, and restructurings.

Prior to joining Farrell Fritz, Darren was an associate in the New York office of a global law firm.

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## Experience

- Represented equipment finance company in connection with recovery and disposition of a fleet of over 2,000 tractors and trailers it financed, which were spread throughout the U.S., after transportation logistics company abruptly discontinued operations and closed its doors.
- Represented equipment lessor in connection with defaulted multi-million dollar lease of computer equipment to a university based in California. Leveraged success in California state court litigation into restructuring of lease obligations.

## PRACTICE AREAS

Bankruptcy & Restructuring

Commercial Litigation

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## EDUCATION

St. John's University School of Law, J.D.

Brown University, B.A.

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## AFFILIATIONS AND APPOINTMENTS

Huntington Lawyers Club, Trustee

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## ADMISSIONS

### Bar Admissions

New York

### Court Admissions

United States District Court, Southern District of New York

United States District Court, Eastern District of New York

United States District Court, Northern District of New York

United States District Court, Western District of New York

United States Supreme Court

- Represented shipowner in bankruptcy of a major U.S. coal mining company in connection with its bareboat charter of two vessels.
- Represented equipment lessor in connection with alleged fraudulent scheme perpetrated by its lessee, its principals and PE firm owner in a sale/leaseback transaction.
- Represented landlords in bankruptcy cases throughout the U.S. with a myriad of issues, including, effectively negotiating assumptions/assignments, lease termination agreements and lease amendments, ensuring debtors' adherence to post-petition lease obligations, and obtaining relief from the automatic stay to pursue state-law rights and remedies.
- Represented mortgagee in successive chapter 11 filings by a single asset real estate entity, securing dismissal of both bankruptcy cases and payoff of multi-million dollar loan obligation, including all costs, expenses and attorneys' fees incurred by mortgagee.
- Served as outside general bankruptcy counsel to Credit Unions in connection with consumer/commercial loans (secured and unsecured), credit cards, leases and credit lines.
- Represented condominiums and homeowners associations in connection with the collection of common charges, assessments and maintenance, including filing liens and, where necessary, actions to foreclose those liens.
- Represented lenders in commercial mortgage foreclosure actions from the date of default through the foreclosure auction sale, entry of deficiency judgment and judgment enforcement.

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## Community Work

- The Caumsett Foundation, Past Board Member