

As Seen In

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WHO'S WHO | in Litigation Law

TED BERKOWITZ

Farrell Fritz PC



Ted Berkowitz is a litigation partner at Farrell Fritz PC in Uniondale. Berkowitz focuses his practice in the area of bankruptcy and creditors' rights.

Berkowitz has more than 20 years of experience in the bankruptcy field and has represented major institutional lenders and corporate and individual creditors in many well-known Chapter 11 cases. He represented the official creditors' committees in some of the highest profile Chapter 11 cases filed in the Eastern and Southern Districts of NY and serves on the official mediation

panel for the Bankruptcy Courts in both those districts.

Berkowitz has been working on one case for several years.

"We were brought in to represent the principal of a company that owned hospitals in Washington, DC, Chicago and California. Initially, we were brought in to help prepare him for a personal chapter 11 filing since he had personally guaranteed approximately \$600 million of the company's debt. Instead of a personal chapter 11, we worked with the principal, as well as company management, to formulate a plan to "buy" the company out of chapter 11 from the existing creditors. We had many highs and lows over the several years the case took. The client called and told me that the financing for our plan had fallen through. The silver lining, however, is that we came up with an alternative that resulted in the clients financing the repurchase by giving the unsecured creditors a note that ultimately cost less than the failed financing. It was really exciting to work on this matter with some of the highest profile bankruptcy lawyers in the country. Also, we had a multidisciplinary team here from bankruptcy, litigation, finance, corporate, real estate and health care.

The Bankruptcy Court for the Eastern District of NY has appointed Berkowitz as both an examiner and a Chapter 11 operating trustee. He served on the subcommittee that advised the Bankruptcy Court for the Eastern District of NY concerning formulation of the new local bankruptcy rules. He also served as vice chair of the bankruptcy committee of the Nassau Bar.

Berkowitz has served as editor of the Bankruptcy Strategist, a publication of the New York Law Journal and is a board member. He is general counsel of the LI chapter of Turnaround Management Association and has been on its board since the chapter's inception.

Berkowitz is also a member of the board of trustees of the Association of Bankruptcy Professionals and serves on the advisory board of the Bankruptcy LL.M Program at St. John's University Law School. Berkowitz earned a juris doctorate from Boston University Law School.

Farrell Fritz' practice areas include corporate and banking; environmental law; franchise and distribution; health care; labor and employment; land use, municipal and zoning; litigation; real estate; tax; trusts and estates; and creditors' rights and bankruptcy.