



## Jeffrey D. Eaton

### Senior Counsel

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### Profile

Jeff Eaton is widely regarded by clients for his ability to maximize the assets available for their recovery. He represents individuals, bankruptcy trustees, indenture trustees, bondholders, lenders and creditors nationwide in bankruptcy and bankruptcy-related restructurings. With a practical approach, he guides his clients through all manner of pre-bankruptcy workouts, bankruptcy litigation and post-bankruptcy compliance. Jeff routinely handles matters involving:

- issues with assumption or rejection of contracts or leases
- resolving proof of claim disputes and objections
- preferential and fraudulent transfer defense
- relief from the automatic stay
- section 363 sales
- professional retention and fee applications
- disclosure statement and plan confirmation issues
- post-confirmation issues
- Chapter 11, 12 and 13 bankruptcies

In addition to Jeff's bankruptcy work, he also represents clients in: the formation and corporate governance of business entities; the purchase and sale of retail and commercial real property; and municipal law including the issuance or default of municipal bonds.

### Representative Publications

- Nunc Pro Tune Rejection of a Non-Residential Lease: Free Rent for the Debtor, 29 FEB. AM. BANKR. L. J. 26, Victor A. Vilaplana & Jeffrey Eaton, 2010
- Locked Out: The Unwary Debtor and BAPCPA's Pre-File Credit Counseling Requirement, 32 T.JEFFERSON L. REV. 261, Jeffrey Eaton, 2010

### Representative Matters

- Represented a creditor holding \$175 million of pension certificates of participation (COPS) in the landmark City of Detroit, Michigan bankruptcy case

### Education

- Thomas Jefferson School of Law (J.D., *magna cum laude*, 2010)
- State University of New York at New Paltz (B.A., *cum laude*, 2006)

### Bar/Court Admissions

- New York
- Illinois
- California
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Western District of New York
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Eastern District of Michigan

### Practices

- Business Restructuring, Creditors' Rights and Bankruptcy
- Municipalities

- Represented an indenture trustee in a Chapter 11 reorganization of a children's psychiatric hospital in Pennsylvania
- Represented an indenture trustee in the restructuring of a continuing care retirement center in Alabama
- Represented retail landlords in complex Chapter 11 bankruptcies including Aeropostale, Sports Authority and Radioshack
- Represented an indenture trustee in the bankruptcy of a local hospital in Massachusetts
- Represented an indenture trustee in the bankruptcy of a private religious school Illinois
- Represented a Chapter 11 trustee in approval of bidding procedures and sale of substantially all of the assets of a hotel
- Represented a liquidation trustee in the post-bankruptcy resolution of claims and the distribution of \$2.3 million in assets from an Illinois cemetery
- Represented local and national banks in Chapter 12 and Chapter 13 bankruptcies
- Defended trade creditors in preferential transfer litigation, which included preparing a complex database that analyzed potential client exposure, discussing potential litigation risks with clients, negotiating directly with opposing counsel, and drafting settlement agreements

## Other Activities

- Secretary & Former Vice President, Westminster Manor
- Board Member, CNY Bankruptcy Bar Association