



Joseph Zujkowski

Partner

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A partner in the Restructuring Group, Joe Zujkowski represents debtors, ad hoc creditor groups, and individual creditors in in-court and out-of-court restructurings and in executing complicated financing transactions. Recently recognized as a rising star by a number of publications, Joe has extensive experience in restructurings across a variety of industries including energy, retail, gaming, healthcare, and real estate. Joe is also an adjunct professor at Cardozo School of Law and a regular author on restructuring topics.

In the past year, Joe has led several high profile restructuring matters. He was lead counsel for the ad hoc group of Bruin Energy's unsecured noteholders in Bruin's recently completed prepackaged chapter 11 cases, which provided a meaningful return to the ad hoc group on account of out of the money unsecured claims. Joe also represented Isagenix in an out-of-court restructuring recently completed with its first lien lenders and continues to advise the Government of Puerto Rico in all respects of its ongoing restructuring efforts.

Experience

- Representing the ad hoc unsecured noteholders of Bruin Energy
- Representing several confidential retailers in ongoing restructuring efforts
- Representing the Government of Puerto Rico in all aspects of its debt restructuring
- Represented the ad hoc committee of second lien noteholders in LINN Energy

Admissions

Bar Admissions

New York

Court Admissions

US District Court, Southern District of New York

Education

Boston University School of Law, J.D.: *cum laude*; Editor-in-Chief: *Annual Review of Banking and Financial Law* (2006-2007)

Boston College, B.A.: *cum laude*

- Represented the largest term lender in Peabody Energy
- Represented an ad hoc noteholder group in appealing confirmation of the Peabody plan of reorganization to the 8th Circuit Court of Appeals
- Represented Colt Defense in its chapter 11 cases
- Represented the ad hoc committee of second lien noteholders in Halcon Resources
- Represented Avenue Capital in the Quiznos chapter 11 cases
- Represented the trustee for certain pass-through certificate holders in the Edison Mission Energy chapter 11 cases
- Represented bondholder groups in the Homer City Funding, AES Eastern Energy, and Dynegy chapter 11 cases
- Represented the United States Department of Treasury and the Presidential Task Force with respect to the restructuring of Chrysler, General Motors and Delphi
- Represented Icahn Associates and certain of its affiliates, as the largest pre-petition and post-petition lender, and auction participant in Blockbuster Inc.'s chapter 11 cases
- Represented secured lenders in the chapter 11 case of radio station operator Inner City Media Corporation
- Represented agent for secured lender groups in Station Casinos and BLB/Twin River Casinos chapter 11 cases

Professional Activities

Externships

- Honorable Theodore Katz, US District Court, Southern District of New York

Author

- [“Bankruptcy Court Guidance on Force Majeure Clauses,”](#) *New York Law Journal* (June 5, 2020)
- “Rejection of Gathering Agreements in Chapter 11,” *New York Law Journal* (April 27, 2020)
- “2020 Private Credit Overview and Update: Financing the Middle Market,” *ICLG Lending and Secured Finance Laws and Regulations 2020* (April 7, 2020)
- “Chapter 11 Plan Support Agreements: Greasing the Wheels for Confirmation Success” *The Bankruptcy Strategist* (January 2020)
- “Chapter 11 Plan Support Agreements: Greasing the Wheels for Confirmation Success,” *New York Law Journal* (November 2019)
- “Second Circuit Affirms Rejection of ‘Sabine’ Gathering Agreements,” *New York Law Journal* (August 2018)
- “Navigating Judicial Reorganizations Under the Brazilian Bankruptcy Law,” *New York Law Journal* (August 2016)
- “‘In re: Sabine’: Gathering Agreements and Real Covenants,” *New York Law Journal* (June 2016)
- “Third Circuit Holds Bankruptcy Policy Trumps National Labor Relations Act,” *New York Law Journal* (March 2016)

- “Third Circuit Approves Controversial 363 Sale over IRS Objection,” *New York Law Journal* (November 2015)
- “Attention Lenders: Liens May Not Be as Secure as You Thought,” *New York Law Journal* (September 2015)
- “Revisiting ‘Rede’ and Recent Brazilian Restructuring Issues,” *New York Law Journal* (May 2015)
- “Revel Asset Sale Raises Important Distressed Real Estate Issue,” *New York Law Journal* (March 2015)
- “Chesapeake Energy Appeal Resolved in Favor of Noteholders,” *New York Law Journal* (January 2015)
- “Revisiting Key Issue for Directors of Insolvent Entities,” *New York Law Journal* (November 2014)
- “Second Circuit Expected To Address Key Issue for Distressed Bondholders,” *New York Law Journal* (September 2014)
- “Bankruptcy Basics Under Brazilian Law,” *New York Law Journal* (July 2014)
- “Credit Bidding Rights Again Limited ‘for Cause,’” *New York Law Journal* (May 2014)
- Conflicting Decisions Create Uncertainty on Key Chapter 15 Issue, *New York Law Journal* (January 2014)
- Decisions Address FDIC Claims to Defunct Bank Tax Refunds, *New York Law Journal* (November 2013)
- Seventh Circuit Addresses Questions Left Open by ‘Stern v. Marshall,’ *New York Law Journal* (September 2013)
- “Bankruptcy Auctions: Is That Your Final Answer,” *Law360* (December 2010)
- “Reorganizing with Value but Without Profit (or Equity): Select Confirmation Issues for Nonprofit Entities,” *Norton Journal of Bankruptcy Law and Practice* (April 2010)

Adjunct Professor

- Lawyering and Legal Writing, Cardozo Law School

Member

- New York State Bar Association
- American Bankruptcy Institute

Honors & Awards

- Named a “Rising Star” by *The New York Law Journal* (2021)
- Recognized by *IFLR1000* as a “Rising Star” in Restructuring (2019-2021)
- Selected as a Bankruptcy “Rising Star” by *Law360* (2019)
- Winner of the 10th Annual Emerging Leaders Award from *The M&A Advisor* (2019)
- Named an “Outstanding Young Restructuring Lawyer” by *Turnarounds & Workouts* (2019)
- Recognized as a “Rising Star” for Finance - Restructuring (2019) and “Next Generation” for Restructuring (Including Bankruptcy): Corporate by *The Legal 500 US* (2020-2021)

- Named a “Rising Star” for Bankruptcy and Credit-Debtor Rights in a survey conducted by *Law & Politics Media Inc.* (2013-2014)