

Joel G. Samuels

Los Angeles, California
Shareholder

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Areas of Practice & Industry Specialties

Products Liability Law; Insolvency & Financial Law Group



Joel G. Samuels represents a variety of clients in both in-court bankruptcy cases and out-of-court restructurings, including secured and unsecured creditors, and creditors' committees and debtors.

Mr. Samuels has been recognized by *Chambers USA* as a leading bankruptcy lawyer, has been recognized in *The Legal 500 US 2015* for Finance and Corporate Restructuring, and has been named in the 2013-2024 editions of *The Best Lawyers in America* for Bankruptcy Litigation, and in the 2016-24 editions for Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law.

Representative Matters

- Defense of a major California bank in connection with an adversary proceeding filed by a bankruptcy trustee in the United States Bankruptcy Court for the Eastern District of California, seeking to avoid as intentional fraudulent transfers various loans extended to, and loan repayments made by, a borrower alleged to have been involved in a Ponzi scheme.
- Representation of GE Capital in connection with an adversary proceeding filed by the bankruptcy trustee of Fundamental Long Term Care Inc. and a number of decedents' estates in the United States Bankruptcy Court for the Middle District of Florida, alleging a variety of causes of action including alter ego, aiding and abetting breach of fiduciary duty, conspiracy, and intentional and constructive fraudulent transfer.
- Representation of Dynegy Holdings, LLC and certain of its affiliates in connection with their jointly administered bankruptcy proceedings in the United States Bankruptcy Court for the Southern District of New York. A plan of reorganization for Dynegy Holdings, LLC and its parent company, Dynegy Inc., was confirmed in September 2012.
- Representation of Credit Suisse as agent for a bank group with respect to a \$250 million loan to ski resort operator Tamarack Resort, LLC in connection with Tamarack's bankruptcy case filed in Idaho (which included contested involuntary bankruptcy proceedings and the successful filing and prosecution of a motion to dismiss the bankruptcy case as a bad faith filing), as well as related receivership and foreclosure proceedings.
- Representation of Radian Asset Assurance Inc. in connection with the American Business Financial Services bankruptcy case filed in Delaware, including in connection with the prosecution and ultimate settlement of an adversary proceeding against one of the affiliated debtors related to the servicing of one of the securitization trusts insured by Radian.
- Representation of an affiliate of Exelon Corporation in connection with the Aladdin Hotel & Casino bankruptcy case in Las Vegas, including defending against litigation in which the debtor sought to recharacterize the contractual relationship involving the central utility plant for the hotel and casino as a disguised financing transaction.

- Representation of AT&T in connection with various matters arising out of the bankruptcy of At Home Corporation filed in the Northern District of California, including significant claims litigation and defense of lawsuits brought by certain creditor trusts.
- Representation of AIG SunAmerica in connection with bankruptcy proceedings filed in Indiana by Brill Media Company, LLC and numerous affiliated entities, including defense of a \$75 million lawsuit filed by the debtors against AIG SunAmerica and Trust Company of the West in Los Angeles Superior Court.
- Representation of Credit Suisse in connection with the bankruptcy of Sierra Hospitality Group in San Francisco, including successful litigation to obtain the appointment of a chapter 11 trustee in that case and the subsequent sale of the hotel properties serving as the client's primary collateral.
- Representation of Asset Guaranty Insurance Company in connection with the bankruptcy proceedings filed by Creditrust Corporation, the servicer of certain securitized portfolios of credit card receivables with respect to which AGIC is the note insurer. This representation also included defense of a federal district court lawsuit filed by Creditrust against AGIC and others alleging various business torts and related causes of action.
- Representation of Credit Suisse in connection with one of the largest agricultural insolvencies in the Central Valley of California, including mortgage foreclosure and receivership proceedings initiated by Credit Suisse First Boston and defense of lender liability and related claims asserted by the borrower and its principal.
- Representation of the Canadian Imperial Bank of Commerce, one of the largest lenders to Olympia & York Developments Limited and its affiliated entities, in connection with Olympia & York's insolvency proceedings in New York and Canada.
- Representation of the Official Creditors' Committee in the Chapter 11 case of First Capital Holdings Corp., the parent company of First Capital Life Insurance Company and Fidelity Bankers Life Insurance Company.
- Representation of Main Line Pictures, the producer of the film "Boxing Helena," with respect to Main Line's \$8.9 million judgment claim against Kim Basinger, in connection with Ms. Basinger and her personal service company's Chapter 11 proceedings in Los Angeles.

Publications

- Sellers and Consignors Beware? The Rights of Sellers and Consignors of Apparel and Other Goods in Bankruptcy: Some Questions and Issues to Consider in Light of Barney's Potential Bankruptcy Filing., *Buchalter Client Alert*, July 15, 2019

Education

Mr. Samuels earned his J.D. at Stanford Law School in 1984, where he was also a member of Order of the Coif. He was a clerk for the Honorable James R. Browning, Chief Judge of the United States Court of Appeals for the Ninth Circuit. He received his A.B. at Princeton University in 1981.

Bar Admissions

- California

Court Admissions

- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. Court of Appeals, 9th Circuit