

Valerie Bantner Peo

San Francisco, California
Senior Counsel

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Areas of Practice & Industry Specialties

Insolvency & Financial Law Group; Litigation; Real Estate; Technology Law; Alternative Lenders; Start-Ups & Early Stage Companies



Valerie Bantner Peo focuses her practice on creditors' rights, real estate, finance and commercial litigation with significant experience at the trial and appellate levels in bankruptcy, federal and state court. She regularly represents financial institutions, including factors and asset-based lenders, software licensors, commercial landlords and tenants, equipment lessors, and bankruptcy trustees. Ms. Bantner Peo has significant experience litigating commercial lease disputes, including eviction actions and jury trials, and in all aspects of bankruptcy reorganization and liquidation including claim disputes, lease assumptions and rejections, plan confirmation, cash collateral disputes, fraudulent transfers and preference liability, nondischargeability actions and out-of-court restructuring.

Ms. Bantner Peo currently serves on the Board of Directors of the International Women's Insolvency and Restructuring Confederation ("IWIRC") as the U.S. Regional Director for the 2020 term and served as co-chair of the Northern California IWIRC chapter from 2014 to 2018. In 2018, Ms. Bantner Peo served as co-chair of the inaugural *IWIRC on the Vine* conference, which drew panelists and attendees from across the country and Canada. In 2016, Ms. Bantner Peo was named an IWIRC "Rising Star" finalist and was featured in the [IWIRC Connection's Member Spotlight](#). Ms. Bantner Peo also serves as the current Chair of the Executive Committee of the San Francisco Bar Association's Commercial Law and Bankruptcy section. Ms. Peo was recognized by *Super Lawyer Magazine* as a Northern California Super Lawyer in 2019 and 2020.

Ms. Bantner Peo served as a law clerk for the Honorable Edward D. Jellen (Ret.), U.S. Bankruptcy Court for the Northern District of California.

Representative Matters

Bankruptcy Litigation & Restructuring

- Represent software licensor, vendors, and community choice aggregator trade organization in Pacific Gas & Electric chapter 11 bankruptcy proceeding.
- Represented digital entertainment company in out-of-court winddown of business operations and resolution of creditor claims through ABC (Assignment for the Benefit of Creditors).
- Regularly represents software licensors, landlords, banks, factors, commercial lenders and equipment lessors in bankruptcy proceedings.
- Represented senior secured lender in chapter 11 cases of multiple drug and alcohol rehabilitation facilities.
- Achieved significant non-dischargeability judgment in favor of creditor and shareholder.
- Achieved summary judgment on behalf of secured lender in state court litigation and successfully defended against business tort counter-claim at bench trial.
- Pursued fraudulent conveyance claims, preference actions, and substantive consolidation against

debtor's numerous affiliated entities on behalf of Chapter 11 trustee of grower and processor of vegetable products, and handled cross-border insolvency issues to protect and enforce the bankruptcy estate's claims to assets located internationally.

- Represented holders of collateralized debt obligation (CDO) notes in defense of flip clause dispute.

Real Estate Litigation

- Obtained district court judgment in favor of tenant department store against shopping center owner validating co-tenancy rent following anchor tenant closure. (Las Vegas).
- Secondment with the Port of Oakland Port Attorney's office for litigation matters including commercial lease disputes, evaluating and responding to claims made against the Oakland International Airport, and evaluating agency policies.
- Extensive experience litigating retail shopping center lease disputes in state and federal court through trial.
- Routinely and efficiently regains possession of commercial real estate on behalf of landlords.

Publications

- What Every Technology Company Needs to Know About Assumption, Assumption and Assignment, Or Rejection Of Its Contracts In Bankruptcy, *Buchalter Nemer Technology Industry Newsletter*, October 2015
- Insolvency: What Every Technology Company Needs to Know About Claims Against Bankrupt Customers And Business Partners, *Buchalter Nemer Tech Industry Bulletin*, April 16, 2015

Presentations

- Speaker, "Valerie Bantner Peo, Speaker at the Bar Association of San Francisco," Bar Association of San Francisco, August 5, 2020
- Moderator, "Bankruptcy Hardball," September 17, 2019
- Presenter, "Judges' Roundtable," California Bankruptcy Forum 31st Annual Conference, May 17, 2019
- Speaker, "Trials in Bankruptcy Court," Sacramento Valley Bankruptcy Forum 2018 Fall Symposium, November 9, 2018
- Moderator, "Cryptocurrency and Blockchain Issues," International Women's Insolvency & Restructuring Confederation , September 28, 2018
- Moderator, "Bankruptcy Issues Related to FinTech & Cryptocurrency," Bar Association of San Francisco, June 12, 2018
- Speaker, "National Credit Union Collections Alliance conference," Las Vegas, March 16, 2017
- Speaker, "Nuts and Bolts: Trials in Bankruptcy Court," the Bar Association of San Francisco, July 19, 2016
- Moderator, "Forum Shopping: What Drives Venue Selection in Bankruptcy?," The Bar Association of San Francisco's Commercial Law and Bankruptcy Section, April 12, 2016
- Panelist, "Clearing the Starting Gate: Maintaining Business Operations During the First 60 Days of Bankruptcy," California Bankruptcy Forum Conference, May 15, 2015

Education

Ms. Bantner Peo earned her J.D. at the University of California, Hastings College of the Law, *cum laude*, where she was Managing Editor of the *Hastings Law Journal*. She received her B.A. in English Language and Literature from Smith College.

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court Northern District of California
- U.S. District Court Eastern District of California
- U.S. District Court Central District of California
- U.S. District Court Southern District of California