



## Edward P. Zujkowski

He is a Senior Partner in the Banking and Finance Group of Emmet, Marvin & Martin, LLP, with over 25 years of experience in bankruptcy and corporate reorganizations. He has particular expertise in representing indenture trustees and bondholder interests in complex Chapter 11 cases and out of court restructurings. He has also represented financial institutions in all aspects of bankruptcy litigation and related appellate practice.

### Representative Matters

- Represented an indenture trustee in connection with conflicting bondholder rights related to a case of first impression – the filing of a Chapter 11 case by a CDO seeking to modify the terms of existing CDO documents pursuant to a plan of reorganization.
- Represented a large foreign banking institution in connection with a global settlement in the Lehman Case involving alleged preferences and fraudulent transfers, turnover demands, setoff rights and reimbursement claims.
- Obtained a decision from the Delaware Bankruptcy Court regarding the ability of an indenture trustee, when faced with conflicting instructions from two groups of bondholders, to submit a credit bid at a Bankruptcy Code Section 363 sale.
- Successfully litigated the recharacterization of a lease as a loan obligation in the Chapter 11 case of a large airline, resulting in a significantly improved recovery for bondholders.
- Represented an indenture trustee in the repossession of aircraft pursuant to Bankruptcy Code Section 1110(c) and the defense of such action in anti-trust litigation instituted by the debtor in bankruptcy court, including obtaining a writ of mandamus from the Seventh Circuit Court of Appeals to vacate certain orders entered by the bankruptcy court.

### NEW YORK OFFICE

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### EDUCATION

Marist College (B.A., 1970)

Brooklyn Law School ( J.D., 1978)

### PRACTICES & INDUSTRIES

Bankruptcy Litigation

Corporate Trust Workouts and Restructuring

Creditors' Rights, Workouts, Restructuring and Bankruptcy

Distressed Debt

Litigation

### ADMISSIONS

New York State, 1979

United States District Court for the Southern and Eastern Districts of New York, 1979

United States 6th Circuit Court of Appeals, 1984

United States 11th Circuit Court of Appeals, 1987

United States Supreme Court, 1990

### PROFESSIONAL ACTIVITIES

New York State Bar Association  
American Bar Association, Business  
Bankruptcy Committee,  
Subcommittee on Indenture Trustees  
Panelist and Lecturer - ABA Annual  
Meetings, Panel on Indenture Trustee  
Issues  
Member, Loan Syndications and  
Trading Association

**RELATED NEWS**

Hertz Gets \$756M Vehicle Lease  
Deal Ok'd in Ch. 11  
January 20, 2021

District Court Strikes Committee  
Fee Provision From Plan  
May 05, 2014