

Brett S. Moore



Principal

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Brett is a principal of Porzio, Bromberg & Newman and a member of the firm's Bankruptcy and Financial Restructuring Department. He serves as the firm's Commercial Practice Group Chair, and Managing Principal of the firm's New York Office. His practice primarily involves the representation of creditors and commercial debtors in insolvency/restructuring matters. Most recently, Brett has served as counsel to creditor committees in several New Jersey based hospital bankruptcy proceedings, and has focused in recent years in assisting foreign liquidators pursue claims in U.S. based insolvency proceedings. Brett has substantial experience in bankruptcy related litigation matters, both defending parties who are sued for clawback/avoidance actions, as well as pursuing such actions on behalf of an estate.

Prior Relevant Experience

- Riker, Danzig, Scherer, Hyland & Perretti, LLP, Morristown, New Jersey, *Associate in Bankruptcy & Reorganization Department*, 2001–2003
- Honorable Thomas H. Dilts, Superior Court of New Jersey, Chancery Division, Family Part, *Law Clerk*, 2000–2001
- Montgomery, Rennie & Jonson, Cincinnati, Ohio, *Law Clerk*, 1999–2000
- City of Cincinnati Solicitor's Office, Cincinnati, Ohio, *Law Clerk*, 1998
- Office of the New York State Attorney General, Buffalo, New York, *Legal Intern*, 1996

Honors and Awards

- Recognized in *Best Lawyers in America*, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2015, 2016
- Recognized on the New Jersey Super Lawyers "Rising Stars" List, 2008 – 2015

Organizations/Memberships

- American Bar Association
- New Jersey State Bar Association
- New York Turnaround Management Association
- American Bankruptcy Institute
- University of Cincinnati Alumni Association
- Bankruptcy Inn of Court, Barrister Chair
- International Council of Shopping Centers

Publications

- "Aggravation in the Aggregate - Section 363(f)(3) Sales and Conflicting Meanings of 'Aggregate Value'," *American Bankruptcy Institute Journal*, February 2015.
- Co-Author, "The Evolution of Bankruptcy Court Authority in Light of *Stern v. Marshall*," *Statement of Affairs, Porzio Bankruptcy Wire*, Summer 2013.
- Co-Author, "The Rare Case: A Successful Hospital Reorganization," *ABI Health Care Committee Newsletter*, Volume 8, Number 1, February 2011.
- "Third Circuit Overrules Oft-Criticized Accrual Test, But Practical Impact Remains Unclear," *ABA Toxic Torts and Environmental Law Committee Newsletter*, Fall/Winter 2010-2011.
- "Fleming: Executory Contract Assignment Not Approved When Proposed Assignee Could Not Comply with a Term Deemed Integral to the Bargained-for Exchange," *ABI Bankruptcy Litigation*

Practice

- Bankruptcy and Financial Restructuring
- Corporate, Commercial and Business Law
- Litigation

Industries

- Financial Services

Related Media

- Porzio Attorneys Recognized by Best Lawyers 2015

Bar Admissions

- New Jersey
- New York
- United States Supreme Court
- United States Court of Appeals, Second Circuit
- United States Court of Appeals, Third Circuit
- United States District Court, District of New Jersey
- United States District Court, Southern District of New York
- United States District Court, Eastern District of New York
- United States District Court, Western District of New York

Education

The University of Cincinnati College of Law, Cincinnati, Ohio, J.D., 2000

- *University of Cincinnati Law Review*
- John R. Saylor Book Award in Evidence
- Jacob Cox Honors Scholarship
- Dean's Honors List, 1998–2000

State University of New York, College of Fredonia, Fredonia, New York, B.A., magna cum laude, 1997

- Dean's Honors List, 1994–1997
- Pi Sigma Alpha, National Political Honors Society
- Alma Mater Society

Contact Address

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Committee Newsletter, November 2007.

- "Bankruptcy Adversary Proceedings—Preference Cases," *The Bottom Line Newsletter*, March 2006.

Speaking Engagements

- Panelist on "DIP Financing and Cash Collateral Issues" at the Association of Insolvency and Restructuring Advisors Annual Conference, Philadelphia, PA, June 2015.
 - Panelist on "Consumer Bankruptcy and Individual Chapter 11 Proceedings" at the Association of Insolvency and Restructuring Advisors Annual Conference, Denver, CO, June 2014.
 - Panelist on "Preference and Fraudulent Conveyance Issues including Recent Ponzi Scheme Cases and the Section 546(e) Defense" at the Association of Insolvency and Restructuring Advisors Annual Conference, Chicago, IL, June 2013.
 - Panelist on "Cash Management and Operations Management, and Plan Funding Issues" at the Association of Insolvency and Restructuring Advisors Annual Conference, San Francisco, CA, June 2012.
 - Panelist on "Substantive Consolidation and Joint Administration"; "Critical Vendor Issues"; and "Financial Aspects of a Plan and Disclosure Statement" at the Association of Insolvency and Restructuring Advisors Annual Conference, Boston, MA, June 2011.
 - "Bankruptcy Practice," New Jersey Institute for Continuing Legal Education, Skills and Methods Course, July 2008.
 - "Health Care Insolvency Issues," New Jersey Institute for Continuing Legal Education, Tenth Annual Hon. William H. Gindin Bankruptcy Bench-Bar Conference, May 2008.
 - "Avoidance Actions in Bankruptcy Proceedings," Insolvency and Reorganization Committee of the New Jersey Certified Public Accountant's Society, Roseland, NJ, March 18, 2005.
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