



Eric Goldberg

Partner

eric.goldberg@dlapiper.com

2000 Avenue of the Stars, Suite 400 North Tower, Los Angeles, California, 90067-4704, United States

T: +1 310 595 3085 F: +1 310 595 3357



Eric Goldberg represents debtors both in and out of court, as well as creditors and other stakeholders, including lenders and funds, in a variety of transactions. His practice involves complex bankruptcy-related litigation, including contested confirmations, termination of collective bargaining agreements and all types of adversary proceedings. Eric also has extensive experience working with hedge funds, institutional lenders, bondholders and buyers of distressed assets.

EXPERIENCE

Eric represents clients in all aspects of bankruptcy and restructuring, including:

- Debtors: Represent public and private companies in out-of-court restructurings and chapter 11 reorganizations throughout the US
- Creditors: Represent asset-based lenders, bondholders, committees, hedge funds and institutional lenders in loans, workouts and complex insolvency situations
- Litigation: Prosecute and defend all types of bankruptcy-related litigation, including plan confirmation, examiner & trustee motions, from discovery through trial. Prosecute and defend preference, fiduciary duty and fraudulent transfer claims in state and federal courts
- Transactional: Advise clients with regard to how to structure complex transactions with financially-distressed companies. Represent buyers & sellers of distressed assets in public and private auctions and Bankruptcy Code Section 363 sales
- Intellectual Property: Represent licensors and licensees of intellectual property in transactions and litigation involving distressed entities
- Other: Represent examiners and trustees in investigation of LBOs, mergers, acquisitions and divestitures. Advise insurer in connection with complex D&O claims. Advise investors in connection with the trade of distressed claims & securities

Representative cases:

- Adelphia
- Circuit City
- Delphi
- Edwards Theatres
- Enron
- Extended Stay
- Fresh & Easy
- Hostess Brands

CREDENTIALS

Education

Harvard Law School (1991) J.D.

Cornell University (1987) B.S.

Admissions

California



- Lehman Bros.
- Loral
- Madoff
- MF Global
- Mi Pueblo Markets
- Mirant
- Patriot Coal
- Post Street Investors
- Rhythm & Hues
- R.E. Loans
- Station Casinos
- Tower Automotive
- Trump Casinos

PUBLICATIONS

- Barbarians at the (marble)gate?, 6 Oct 2015

PRESENTATIONS AND SEMINARS

Eric is active in several restructuring-related organizations, including the California Bankruptcy Forum, the Financial Lawyers Conference and the Turnaround Managers Association. He speaks frequently on restructuring topics, such as asset sales in bankruptcy, distressed M&A, fraudulent transfer litigation, fiduciary duties and workouts. Recent speaking engagements include:

- May 2015 - California Bankruptcy Forum 2015 Conference, Napa, California. Eric appeared on a panel discussing the impact of the *Wellness International Network v. Sharif* case, which was recently argued before the US Supreme Court
- July 2015 - TMA Western Regional Conference, Carlsbad, California. Eric moderated a panel that analyzed issues of successor liability in bankruptcy sales following the recent decision from the Bankruptcy Court for the Southern District of New York regarding the GM ignition switch recall litigation
- October 2015 - Los Angeles Bankruptcy Forum, Beverly Hills, California. Eric spoke on the preclusive effects of bankruptcy court orders on post-sale and post-confirmation litigation

RECOGNITIONS

- AV rated by Martindale-Hubbell
- Listed in Best Lawyers In America for both Bankruptcy/Reorganization and Bankruptcy Litigation
- Listed in California Super Lawyers and Rising Stars for Bankruptcy