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PRACTICES

Bankruptcy Law and Litigation
Commercial Law and Litigation
Transactional

Mr. Mayer specializes in individual and commercial bankruptcy, as well as out-of-court workouts. He has represented debtors, creditors and trustees in various Chapter 7 and Chapter 11 cases. These representations have involved numerous individuals and various business entities including manufacturers, real estate developers and small businesses in various debtor-creditor matters. Mr. Mayer has also represented debtors in litigation in bankruptcy, state, federal and administrative courts of law.

ADMISSIONS & QUALIFICATIONS

State Bar of Michigan, 1999

U.S. District Court, Eastern District of Michigan, 2000

U.S. Court of Appeals, Sixth Circuit, 2012

U.S. District Court, Western District of Michigan, 2014

Licensed Certified Public Accountant, State of Michigan, 1984

PRIOR EXPERIENCE

Prior to attending law school, Mr. Mayer practiced public accounting and worked in management in the automotive and distribution industries.

EDUCATION

Detroit College of Law at Michigan State University, Detroit, J.D., summa cum laude, 1999

University of Michigan, Ann Arbor, B.B.A., with distinction, 1982

SEMINARS

June, 2017, co-presenter, Issues in Treatment of Trusts in Consumer Bankruptcy Cases

June, 2012, co-presenter, Chapter 11 is Alive (i.e., Not Dead): Chapter 11 Update, American Bankruptcy Institute

November, 2009, co-presenter, Tax Issues in Bankruptcy, Michigan Association of Certified Public Accountants

August, 2009, presenter, Chapter 7: Step-by-Step Procedures, National Business Institute

Repeat guest lecturer at Michigan State University College of Law, Introduction to Bankruptcy

Repeat speaker at the Legal Aid & Defender Association, Inc., on consumer bankruptcy issues

PUBLICATIONS

Author, *CASENOTE: Durant v State of Michigan: The Interaction of the Headlee Amendment to the Michigan Constitution and Funding for Special Education Provided by the State to Local School Districts*, 1998 Det. C.L. Rev. 893

PROFESSIONAL MEMBERSHIPS

American Bankruptcy Institute

Consumer Bankruptcy Association of Metropolitan Detroit

State Bar of Michigan

REPRESENTATIVE MATTERS

Represented regional, heat set, web printer on the verge of being shut down by its electricity supplier and secured creditors. After unsuccessfully marketing the business through an investment banker, changed direction and negotiated a consensual \$363 sale of all assets to the debtor's existing owner, which the court approved over the US Trustee's

objection. As a result, a modest return to unsecured creditors was provided, and approximately 100 manufacturing jobs were saved.

Mr. Mayer represented a group of four related companies based in Northern Ohio in the shipping, warehousing, transportation, packaging and logistics industry. Mr. Mayer filed an emergency voluntary Chapter 11 bankruptcy for all four companies, preventing appointment of a receiver and keeping its principal in charge of operations. He then filed numerous motions and obtained the Bankruptcy Court's approval for the companies to continue operating until a § 363 sale of all of their assets could be held. He advertised and held a well-attended auction during which two different buyers purchased the companies' operating assets and real estate. As a result, the operations continued and many jobs were saved. In addition, as part of the cash collateral order, Mr. Mayer arranged for sufficient funds to be carved out of the secured lender's collateral to pay the companies' unpaid federal and state payroll trust fund taxes, for which the principal was personally liable.

Mr. Mayer also represented a large veterinarian clinic subject to substantial mortgage debt, which the clinic was unable to continue servicing. He filed for Chapter 11 and held a § 363 sale of the entire clinic. As a result, the clinic's operations continued and all jobs were preserved.

Additionally, Mr. Mayer represented a manufacturing company and its principals in an out-of-court wind down. He successfully negotiated forbearance agreements with secured lenders, and shielded principals from personal liability.

Mr. Mayer also represented a real estate developer in negotiating with lenders to wind down various business ventures and limited personal liability.

Mr. Mayer represented an individual Chapter 7 debtor with assets of approximately \$20,000 and liabilities of approximately \$800,000, including over \$600,000 of IRS tax liability. He successfully obtained a discharge of all debts.

Mr. Mayer also represented an individual Chapter 7 debtor with assets of approximately \$600,000 and liabilities of approximately \$3.3 million, and who was sued to except \$1 million of debt from discharge. He successfully defended the non-dischargeability action and obtained a complete discharge of all debts.

Mr. Mayer represented an individual debtor subject to a non-dischargeable judgment of \$1,700,000 in Federal Court. He also defended the debtor against collection actions and eventually negotiated a settlement which only provided for turnover of real property interests in which the debtor had no equity in full satisfaction of judgment.

Additionally, Mr. Mayer has successfully defended and prosecuted numerous bankruptcy preference and fraudulent conveyance actions.

OTHER DISTINCTIONS

MSU Law Review Member

Recipient: DCL.MSU Jurisprudence Achievement Awards in Commercial Transactions, Criminal Law, Basic Income Taxation, Professional Responsibility

Recipient: Michigan Consolidated Gas Award

Recipient: Amy D. Bloomer Memorial Award

Recipient: Distinguished Alumni & Memorial Scholarship Award

Recipient: Dean Charles H. King Scholarship