

## ***Bankruptcy Litigation***

Sullivan & Cromwell's bankruptcy litigation practice involves the representation of debtors, creditors, financial institutions, agents and trustees, directors, owners and purchasers in significant disputes.

The Firm has prosecuted and defended very large contested claims, challenged and defended plans of reorganizations and bankruptcy settlements, defended major avoidance actions, protected acquirors from challenges to bankruptcy purchases, and resolved a wide variety of other disputes.

Every bankruptcy litigation matter at S&C has access to the full resources of the Firm's multidisciplinary Litigation Group. It is typical to see the Firm's leading litigators take an active role in adversary proceedings in U.S. Bankruptcy Court, combining the Firm's knowledge of bankruptcy with its broader federal litigation experience.

### **SELECTED REPRESENTATIONS**

Sullivan & Cromwell's recent bankruptcy litigation experience includes:

- **Eastman Kodak**, in both offensive and defensive litigation integral to its successful Chapter 11 case and global reorganization, including successful litigation to protect Kodak's intellectual property rights.
- **FXI Holdings**, a leading manufacturer of furniture, bedding, carpet cushion and automotive foam products, was accused of being liable for an 11-year price-fixing conspiracy. The court held that FXI did not incur the liabilities of its predecessor corporation, Foamex International, whose assets FXI acquired in a bankruptcy sale auction.
- JPMorgan Chase as creditor in the **Global A&T Electronics Ltd.** Chapter 11 proceedings
- DISH Network Corporation, EchoStar Corporation and L-Brand Acquisition, LLC in litigation related to purchases of **LightSquared L.P.** secured debt by SP Special Opportunities Holdings LLC
- **SunEdison** resolution of litigation between non-debtor subsidiaries and their debtor parent (Terraform Power and Terraform Global), and sale of those non-debtor subsidiaries to third party with debtor cooperation (largest restructuring of the year; Standout: "Managing Complexity and Scale," *Financial Times* 2017)
- Fiat Chrysler Automobiles (FCA) in connection with the global insolvency proceedings and restructuring of **Takata**

### **PRACTICES & CAPABILITIES**

---

**Litigation**  
**Antitrust**  
**Appellate**  
**Arbitration**  
**Bankruptcy Litigation**  
**Commodities, Futures & Derivatives**  
**Congressional Investigations**  
**Criminal Defense & Investigations**  
**EU Competition**  
**FCPA & Anti-Corruption**  
**Financial Services Investigations & Litigation**  
**Intellectual Property & Technology Litigation**  
**International Trade & Investment/CFIUS**  
**Labor & Employment**  
**M&A Litigation**  
**Products Liability & Mass Torts**  
**Securities**  
**Whistleblower Litigation and Workplace Investigations**

### **PRACTICE CONTACTS**

---

#### **James L. Bromley**

New York  
T. +1-212-558-4923  
F. +1-212-558-3588  
bromleyj@sullcrom.com

#### **Andrew G. Dietderich**

**Corporation**, including the pending Chapter 11 cases of TK Holdings, Inc. and its affiliates; in multidistrict litigation relating to Takata airbags; and in post-closing litigation relating to enforcement of the sale order approving the historic bankruptcy acquisition of Chrysler's assets

- JPMorgan Chase in the **Washington Mutual Inc. (WaMu)** Chapter 11 proceeding arising from JPMorgan Chase's acquisition of the assets of Washington Mutual Bank from the FDIC-Receiver following WaMu's closure by federal regulators

New York  
T. +1-212-558-3830  
F. +1-212-558-3588  
dietdericha@sullcrom.com

**Brian D. Glueckstein**

New York  
T. +1-212-558-4000  
F. +1-212-558-3588  
gluecksteinb@sullcrom.com