

Bankruptcy Litigation and Appeals

Miller Canfield has broad and extensive experience in bankruptcy appeals and bankruptcy litigation. We represent defendants and plaintiffs in all facets of bankruptcy-related litigation, including preferences, fraudulent transfers, plan confirmation, cash collateral, claim objections, and dischargeability proceedings in bankruptcy courts across the country. The bankruptcy litigation and appeals team is a specialized collection of attorneys who know how to win litigation cases in bankruptcy court and have those victories upheld on appeal. Our team represents clients in all aspects of bankruptcy court litigation, from demand letters to discovery to trial, and has a proven track record of winning bankruptcy appeals.

Representative Matters

- In the first appellate decision of its kind, a team of Miller Canfield attorneys successfully represented a credit insurer at the Sixth Circuit Court of Appeals in recovering all of its expenses and attorneys' fees due to the substantial contribution it made in a large trucking firm's chapter 7 bankruptcy case.
- A team from Miller Canfield successfully represented the City of Detroit in an appeal to the Sixth Circuit Court of Appeals regarding a challenge to the City's confirmed bankruptcy plan, including the Grand Bargain, reached in the City's bankruptcy negotiations.
- Clients faced \$2.4 million in aggregate asserted preference liability over five lawsuits against corporate client and affiliates. After analyzing and asserting client defenses, Miller Canfield negotiated settlements in several cases for token payments and obtained outright dismissal of the rest, all with minimal litigation expense.
- Defended claims against a client that had supplied advertising and other business services to an entity later determined to be a "Ponzi" scheme to defraud investors. Notwithstanding the unfavorable case law involved in Ponzi defense, Miller Canfield was able to obtain a settlement below client expectations without the need for expensive litigation.