

## **Mark D. Silverschotz – Mediation Biography - Eastern District of New York**

Mark D. Silverschotz, Esq.  
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### **I. Profession**

Attorney

Jurisdiction and Dates of Admission

New Jersey Supreme Court 1981  
District of New Jersey 1981  
New York, 1st Department 1984  
Southern District of New York 1984  
Eastern District of New York 1986  
Western District of New York 1994  
Eastern District of Michigan 1996  
3rd Circuit Court of Appeals 1982  
D.C. Circuit Court of Appeals 2002  
2nd Circuit Court of Appeals 2007

### **II. Professional Organizations**

American Bankruptcy Institute, beginning 1994 Active

### **III. General Professional Experience**

I have practiced bankruptcy law since my graduation from Georgetown Law in 1981, first in New Jersey and, since 1983, in New York. My experience includes representation of parties before bankruptcy courts in more than twenty judicial districts throughout the United States. My clients have included debtors, trustees, indenture trustees, individual unsecured creditors, financial institutions, governmental agencies, official committees of creditors and equity security holders, partners, and individuals, including a former State Governor and a former United States Senator. As part of these representations I have handled multiple lawsuits, including preferential transfer and fraudulent conveyance litigations, and addressed many claims objections.

### **IV. Experience and Familiarity with Bankruptcy Law**

Since 1981 my practice has had a primary focus on bankruptcy litigation. In addition, I have handled copyright, privacy, real estate, construction, insurance, and other disputes, often, but not exclusively, within a bankruptcy context. Among the diverse and varied matters I have handled are contested confirmations, including one which

concerned "dueling plans", challenges to "bankruptcy remote" corporate structures, litigation of notice adequacy and automatic stay application and extension, the determination of a proper post-petition interest rate to be paid by a solvent debtor, and cases respecting the scope of the bankruptcy court's jurisdiction.

## **V. Mediation Training**

I have completed the American Bankruptcy Institute/St. John's University Law School 40 Hour Bankruptcy Mediation Training Program. This course was led by St. John's University Law School professor Elayne Greenberg, Assistant Dean for Dispute Resolution Programs, Professor of Legal Practice and the Director of the Hugh L. Carey Center for Dispute Resolution. The American Bankruptcy Institute sponsored the program, which was given between 12/7/14 and 12/11/14, and was for 40 hours. A certificate of course completion was given (copy available upon request).

## **VI. Mediation Experience**

Member of the American Bankruptcy Institute Mediation Committee. Participant in several successful mediations during the past decades, either as mediator or party representative, including ones concerning seven and eight figure preference lawsuits, participated in appellate mediation concerning plan modification dispute, and successfully have resolved other significant matters.

## **VII. Area of Expertise**

More than four decades of comprehensive and complex bankruptcy practice, with litigation work concerning copyright, privacy, real estate, construction, insurance, and other disputes, often, but not exclusively, within a bankruptcy context. I have addressed more than one hundred matters concerning bankruptcy claims of State tax and regulatory agencies.

## **VIII. General Pertinent Business or Legal Experience**

For more than two decades I have served as a member of the board of a 350 unit cooperative housing development on Roosevelt Island in New York City. This experience has required me to balance the interests of various members of the community, consider conflicting viewpoints, and build consensus regarding a variety of issues which were practical, esoteric, or both.

## **IX. Other Pertinent Information**

In addition to other extensive speaking engagements, for more than two decades I have lectured on different bankruptcy topics before the National Association of Attorneys General/States Association of Bankruptcy Attorneys at their joint annual conference. Copies of my several bankruptcy-related publications are available for review at: <https://andersonkill.com/people/mark-d-silverschotz/>

## **X. Fee Structure**

Subject to agreement with the parties, or, as may be appropriate and applicable, per order of the Bankruptcy Court.

## **XI. Pro Bono Preference**

Brooklyn