

Law Offices of Avrum J. Rosen, PLLC  
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**I. Profession:**

Attorney

Bar Admissions:

New York State Bar, Second Department: 1984  
United States District Courts for the  
Southern and Eastern Districts of New York: 1985  
United States District Court for the  
Northern District of New York: 1995  
Western District of New York: 2007  
Second Circuit Court of Appeals: 2001 and 2020  
Admitted *pro hac vice* in the Southern District of Florida, 9th Circuit BAP and  
Middle District of Texas.

**II. Professional Organizations:**

New York State Bar Association: 2019-present  
Suffolk County Bar Association: 2015- present  
ABI: 2009-2014

**III. General Professional Experience:**

At least 85% of my practice has been in all aspects of bankruptcy law since 1988. I have also practiced as a real estate attorney since 1984 and have been in general practice as well, including commercial landlord tenant litigation; lease negotiation and probate matters.

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

Since I formed my own firm in 1988, at least 85% of my practice has been in bankruptcy matters. I have represented debtors in chapter 11, 7 and 13 cases. I have represented members of creditor committees and the committee's themselves. I have represented operating trustees and have been an operating trustee and was the trustee of the creditor trust in the Flushing Hospital case. I have represented and still

represent multiple chapter 7 trustees. In addition I have represented all parties in adversary proceedings at the bankruptcy court level and in appeals to the district court and the Second Circuit and the 9th Circuit BAP. Many of my reported decisions can be found on my firm's website.

**V. Mediation Training:**

I have completed the first 24 hours of the New York State Bar Association Training program conducted on October 12, 13 and 14, 2021. It is conducted as part of the Part 146 Certification for the NYS Court's Commercial Division. The program was run by Simeon H. Baum, Esq. and Stephen A. Hochman, Esq. The Certificate of Completion was issued on October 14, 2021.

**VI. Mediation Experience:**

As the creditor trustee in the Flushing Hospital Chapter 11 case, I supervised the medical malpractice mediation program that mediated over 160 mediations and resolved all of them. I have participated as an attorney in at least twenty (20) mediations. In addition, I am a co-executor in a large decedent's estate and in that capacity have participated in five (5) mediations as a client. I have developed experience on all levels as to what does and does not work in mediations.

**VII. Areas of Expertise:**

As noted above, I have a broad range of experience in bankruptcy matters. I have extensive experience in real estate matters; fraudulent conveyance actions; preference actions; and other actions pursuant to Chapter 5 of the Bankruptcy Code; negotiating chapter 11 plans; and other litigation that takes place in chapter 11 and 7 cases. I also have extensive experience in health care bankruptcies and in actions brought by Chapter 7 trustees. I was a member of the local Planning Board for nine (9) years and have a broad understanding of zoning issues.

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

Law was not my first career. Prior to entering law school I worked as a Youth Worker and ran a community based Youth Services Program funded by NYS and the Town of Huntington. I performed crisis intervention, counseling, community organizing and extensive public speaking before parent and community groups and classroom programs and training of staff. I also spent nine (9) years on the Huntington Planning Board where I participated in bi-monthly public hearings on applications before the Board.

**IX. Other Pertinent Information:**

Martindale – Hubbell’s highest “AV” rating since 1988.

United States Bankruptcy Court  
Eastern District of New York  
Pro Bono Certificate of Recognition 2005.

Flushing Hospital Creditor Trust. Eastern District Bankruptcy Court  
(Trustee of Post-Confirmation Creditor Trust) Duberstein, C.U.S.B.J.  
with a corpus of at least \$9,800,000.00)

Total Times Solutions, LLC  
Operating Trustee of Payroll Services Company Eastern District of New York  
with over \$7,000,000.00 in claims and several Stong, U.S.B.J.  
major litigations to recover funds for the estate.  
Coordination with criminal investigation by the  
Department of the Treasury.

Co-Executor of the Estate of Glen Nelson. Suffolk County Surrogate’s Court  
Presently administering Estate of  
approximately \$150,000,000.00 consisting of  
commercial real estate all over the country.

**X. Volunteer Experience and Community Involvement:**

Member of the Town of Huntington Youth Board 1992-96

Member Sanctuary Advisory Board (Youth Service Organization) 1990-92

**XI. Fee Structure (Compensation and Expense Reimbursement):**

I will accept mediation engagements on either an hourly fee, daily rate or flat fee basis. My hourly rate for services as a mediator is expected to be my hourly rate at my firm, which during 2021-2022 is \$620.00. I do not charge for the first two hours spent getting up to speed on the matter and discounts for mediation of multiple separate cases or matters will be considered on a case-by-case basis. I expect to receive reimbursement of out-of-pocket costs in connection with any mediation. All mediations, including *Pro Bono* mediations, require a written retainer agreement.

**XII. Pro Bono Preference:**

I will perform Pro Bono mediations in either Brooklyn or Central Islip.