

Contact

Michael A. Firestein

Partner

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Michael A. Firestein is a partner in the Litigation Department, and formerly served as Vice Chair of the Department.

Michael brings more than 30 years of experience handling a wide range of commercial litigation on behalf of financial institutions, securities brokerages, fiduciaries, investment advisors, private equity funds, real estate operating companies and entertainment corporations. He has tried cases before nearly every kind of tribunal (jury and bench), including state and federal court and before arbitration forums, including FINRA, AAA, JAMS, NYSE and others.

During the past decade, Michael has emerged as a preeminent litigator and trial lawyer in some of the largest bankruptcy proceedings in the country. Most recently, Michael also served as lead litigator representing the Statutory Unsecured Creditors Committee in the successful restructuring of Zachry Industrial, Inc., which resulted in a confirmed plan paying all unsecured creditors in full. He also has a lead role in the Puerto Rico bankruptcy litigation on behalf of the Financial Oversight and Management Board for Puerto Rico. In recent years, Michael was a principal trial lawyer in the confirmation hearings for plans of adjustment for (i) the Puerto Rico Highways and Transportation Authority, which sought to restructure nearly $ 6 billion of bond debt and other obligations of the Authority (2022), (ii) the Commonwealth of

Puerto Rico, the Puerto Rico Public Buildings Authority, and the Puerto Rico Employee Retirement System, which restructured tens of billions of dollars of bond debt and unfunded pension obligations (2021), (iii) the Puerto Rico Electric Power Authority (PREPA), which sought to restructure more than $10 billion dollars in funded debt and other obligations, and (iv) the Puerto Rico Sales Tax Financing Corporation (COFINA), which sought to restructure $18 billion of bond debt (2019). Several of these confirmation proceedings saved the Commonwealth and its instrumentalities hundreds of millions of dollars of bond and other debt payments annually. Michael also served as lead trial counsel in successful bankruptcy plan confirmations in two contested trials on behalf of Energy Future Holdings, where he addressed numerous intercompany/inter-debtor claims and other matters concerning this complex restructuring. Michael's overall work in this space has led to his recognition as California's Bankruptcy Litigator of the Year in *Benchmark Litigation* from 2020-2022.

Michael also advises on many probate and trust litigation matters, employment litigation disputes, including wrongful termination, as well as intellectual property and entertainment litigation. He represents publicly traded companies in internal investigations and before the SEC, FINRA, and other SROs. Additionally, Michael counsels individuals in securities aspects of high-net-worth family law disputes.

Beyond the courtroom, Michael is deeply committed to community service. For almost 30 years, he has been an active member of the Board of Directors and the Executive Committee for Concern Foundation for Cancer Research, and served as its President from 1994-1996. Michael also serves on the Board of Directors of Bet Tzedek, a Los Angeles-based provider of pro bono legal services.

Matters

Representative Matters In Addition to Those Described Above:

- Lead litigator in high-net worth trust disputes involving various Guardian of the Estate, Guardian ad Litem and various other property and accounting issues

- Lead trial lawyer for a major developer of military-based housing in a dispute involving claims of toxic exposure
- Lead trial lawyer for a major animation company in a contract dispute against a prominent trading card producer
- Lead litigator in an internal investigation of a publicly-traded company in the food services industry regarding certain accounting irregularities
- Lead litigator in a dispute between partners in a closely held real estate operating company
- Lead litigator in an internal investigation of a broker-dealer involved in a stock loan operation
- Representation of multiple portfolio companies of private equity funds in varying contractual, regulatory or other business disputes
- Defense of a television network in a federal court RICO action concerning the licensing, airing and cancellation of a program
- Representation of broker-dealers and financial advisors regarding claims brought by clients or investors regarding short selling and other issues
- Representation of institutional and individual clients in fiduciary trust and probate related litigation
- Defense of numerous financial institutions relating to intricate operational matters

Practices

Litigation, Real Estate, Real Estate Litigation, Fiduciary Litigation, Asset Management Litigation, Securities Litigation, Trials

Industries

Real Assets, Private Capital, Private Equity, Real Estate, Financial Services, Asset Management

Education

Northwestern University Pritzker School of Law, J.D.

Development Editor, *Northwestern Journal of International Law and Business*, 1982-1983

Brown University, A.B.

Admissions & Qualifications

California

Court Admissions

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, California, Central District

U.S. District Court, California, Northern District

U.S. District Court, California, Southern District

Supreme Court of the United States

Memberships

American Bar Association

State Bar of California

Los Angeles County Bar Association

Board of Directors and the Executive Committee for Concern

Foundation for Cancer Research

Board of Directors of Bet Tzedek

Awards & Recognition

Benchmark Litigation, California Bankruptcy Litigator of the Year 2020-2022

Benchmark Litigation National Litigation Star 2020-2026

Best Lawyers in America 2013-2027

Chambers USA: California – Litigation: General Commercial (Recognised Practitioner) 2015-2016

Southern California Super Lawyers 2006-2022

The Legal 500 United States: General Commercial Disputes 2019-2021, 2023

Fellow, Litigation Counsel of America

Fellow, American Bar Foundation