

**Michael D. Silberfarb | Of Counsel**

Business Litigation

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Michael Silberfarb has vast experience advising *Fortune* 500 companies, small businesses, and individuals in a broad range of litigation matters. He has substantial trial experience, including experience as first chair trial counsel.

Among other things, Michael has acted as lead counsel to several large New York and Philadelphia-based real estate developers in partnership and contract disputes. In addition, he recently led the successful representation of a salad dressing manufacturer in three separate nationwide class action lawsuits alleging mislabeled products.

Michael has also litigated numerous matters involving distressed or bankrupt companies. He represented the debtors in the Chrysler, Hostess, and Lehman Brothers bankruptcies. He also has many years of experience litigating contested matters and adversary proceedings in bankruptcy cases, including multimillion-dollar avoidance actions and intercreditor disputes.

Michael has a strong pro bono practice. He represented a Gambian journalist and youth activist in connection with obtaining asylum in the United States.

## Select Engagements

- Represented the President Pro Tempore of the Pennsylvania senate in connection with his challenge to Pennsylvania's congressional districting map.
- Led representation of a salad dressing manufacturer in three nationwide class action lawsuits alleging that products were mislabeled.
- Led representation of a New York City-based real estate developer in

- connection with a multimillion partnership dispute.
- Led representation of a major bank in connection with the bankruptcy eligibility of complex financial products.
  - Led representation of real estate developer in a lawsuit alleging, among other things, misappropriation of corporate funds and fraud.
  - Represented a big data company in a \$20 million dispute with its former legal counsel.
  - Led representation of a large foreign textile manufacturer in connection with a multimillion dollar avoidance action in the Bankruptcy Court for the Southern District of New York.
  - Led representation of a large Canadian petroleum company in connection with various customer disputes in the United States.
  - Represented a hedge fund in its defense against a lawsuit seeking to recover over \$100 million in damages arising out of the hedge fund's investment in a fraudulent investment scheme.
  - Acted as one of the lead litigators representing Hostess Brands, Inc. in its 2012 bankruptcy proceedings that led to the sale of Hostess' assets for nearly \$1 billion.
  - Successfully defended, as second chair trial counsel, a hedge fund trader against an \$11 million action brought by its former employer in the Southern District of New York.
  - Acted as lead trial counsel to a bankrupt food manufacturer in action brought pursuant to section 1113 of the Bankruptcy Code.
  - Acted as lead counsel to a credit reporting company in Second Circuit appeal.
  - Represented a distressed monoline insurer in an action to sell a significant portion of its assets over the objection of one its largest creditors.
  - Represented the debtors in numerous contested matters and adversary proceedings in Chrysler's 2009 bankruptcy cases.
  - Represented Spansion Japan, with respect to bankruptcy claims against its parent that resulted in a \$100 million payment to Spansion Japan.
  - Represented Lehman Brothers in connection with swap defaults resulting from its 2009 bankruptcy.

## **Admissions**

- Pennsylvania
- New York
- U.S. District Court - Eastern District of New York
- U.S. District Court - Southern District of New York
- United States Court of Appeals for the Sixth Circuit

## **Education**

- University of California, Los Angeles, BA
- Boston University School of Law, JD, cum laude

## Recognitions

2014–2018, “Pennsylvania Rising Star” in Business Litigation, listed in *Super Lawyers*®

## Professional Activities

While in law school, Michael was a legal intern in the United States Attorneys’ Office, Criminal Division. In college, he interned in the financial crimes division of the United States Secret Service.