

**Please submit your Bio in the following format**

**Name:** Deborah A. Reperowitz **Date:** July 31, 2024  
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**I. Professional Accrediting Agency or Jurisdiction Date of Admission**

Attorney	State of New Jersey	1985
	State of New York	1987
	U.S. District Court, NJ	1985
	U.S. District Court, EDNY	1985
	U.S. District Court, SDNY	1985
	U.S. District Court, WDNY	2017
	U.S. District Court, NDNY	2019
Mediation	Chambers-ranked	2022-2024

**II. Professional Organizations Date of Admission Active/Inactive**

Turnaround Management Association	2014	Active
• President Elect, NYC Chapter	2016	1-year term
• President, NYC Chapter	2017	1-year term
• Chairperson, NYC Chapter	2018	1-year term
• Global Board of Trustees	2019 – 2021	Inactive
American Arbitration Association		
• Listed on the roster of mediators	2019	Active
• Listed on the roster of arbitrators	2019	Active
CPR International Institute for Conflict Prevention and Resolution		
• Listed on Roster of Mediators	2021	Active
• Co-Chair Banking and Financial Services Committee	2021	Active
American Bankruptcy Institute	2016	Active

New York State Bar Association

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| • Executive Committee,<br>Dispute Resolution Section               | 2019      | Active   |
| • Treasurer, Dispute Resolution<br>Section                         | 2021      | Active   |
| • Co-Chair, Technology<br>Committee, Dispute Resolution<br>Section | 2022-2024 | Inactive |

Lawyers Advisory Committee To The Bankruptcy Bench of New Jersey	1998 – 2005	Inactive
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### III. General professional experience:

I combine extensive experience as a bankruptcy and litigation attorney with my roles as a senior officer at publicly traded companies to facilitate pragmatic business-minded settlements of all types of bankruptcy and commercial disputes.

**Clerkship:** 1985-1986. Served as Law Clerk to the Honorable Rosemary Gambardella, former Chief Bankruptcy Judge for the District of New Jersey.

**Law Firms:** 1986-2006 and 2012-Present. Member of the bankruptcy, restructuring and creditors' rights groups in law firms, including Reed Smith from 2000-2006 and Stradley Ronon from 2017-present. Represent debtors, creditors, committees, asset acquirers and others in restructures and all aspects of corporate bankruptcy cases. Serve as mediator or arbitrator involving non-bankruptcy disputes as well as disputes arising in bankruptcy cases..

**Senior Vice President and Chief Litigation Counsel at CIT Group Inc.:** 2006-2010. Established and managed CIT's global litigation and government investigations group. Reported directly to the board of directors and was involved in CIT's restructure, including its transition to a bank holding company and regulatory issues.

**General Counsel to Fairholme Capital Management and Secretary to Fairholme Funds, Inc.:** 2010-2011. Fairholme Capital Management was the financial advisor to managed accounts and three open-ended, non-diversified mutual funds traded on NASDAQ that collectively had more than \$20 billion under management.

### IV. General pertinent experience:

As advocate, party and neutral I have participated in innumerable successful mediations and negotiated settlements involving private and governmental parties. As mediator, I combine my

legal skills and business acumen to facilitate the development of creative, practical solutions once I have a thorough understanding of the parties and their positions and priorities. I have been involved in mediations in a broad range of bankruptcy and commercial disputes, including securities and derivative cases, class and mass actions, various state and federal government investigations, avoidance actions, fraud, and “deepening insolvency” or “fueling the fraud type claims. I have been appointed by the Bankruptcy Court to serve as a mediator in the bankruptcy cases of Dewey & LeBoeuf LLP; Bernard L Madoff Investment Securities LLC; and Lehman Brothers. I have experience in numerous industries, including, financial services, technology, healthcare, real estate, and retail.

**V. Mediation training/experience:**

*CPR International Institute for Conflict Prevention & Resolution Annual Meeting*, 3/6-8/2024

*Dispute Resolution Section Annual Meeting*, sponsored by the New York State Bar Association, 1/6/2024

*Advanced Commercial Mediation*, sponsored by the New York State Bar Association, 11/3-4/2021

*Dispute Resolution Fall 2021 Meeting*, sponsored by the New York State Bar Association, 9/29-30/2021

*FINRA Arbitration: Advice from the Experts*, sponsored by the New York State Bar Association, 4/9/21

*Arbitration and Mediation 2021: Best Practices Working Through and Beyond Covid*, sponsored by the New York State Bar Association, 3/23/21

*Dispute Resolution Section Annual Meeting*, sponsored by New York State Bar Association 1/21/21

*Embracing Change: Dispute Resolution in Unprecedented Times*, sponsored by the New York State Bar Association, Dispute Resolution Section, October 2020.

*Cyber Security: A Shared Responsibility*, sponsored by the American Arbitration Association, July 2020.

*Learn to Mediate Online Training Program*, taught by Susan Guthrie, March 2020.

*ADR in the Boardroom and the Headlines: Not Fake News*, sponsored by the New York State Bar Association, January 2019

*Arbitration Fundamentals & Best Practices for New AAA Arbitrators*, American Arbitration Association, 2-day intensive training, sponsored by the American Arbitration Association, October 2018

*Effective Mediation Advocacy: The Roles of Client and Counsel*, sponsored by CPR International Institute for Conflict Prevention & Resolution, April 2018

*Advanced Negotiation and Mediator Skills Training*, sponsored by the United States Bankruptcy Courts for the Southern and Eastern Districts of New York, September 2005.

*Advanced Mediation Skills and Creative Workshop*, sponsored by the United States Bankruptcy Courts for the Southern and Eastern Districts of New York, September 2005.

### **Recent Speaking Engagements:**

*The Uses and Abuses of Chatbots: Live Demo and Review of Ethics Rules*, New York State Bar Association Technology Committee, May 7, 2024

*Arbitrators and Mediators: How Much Freedom Do You Give or Take From Your Participants & A Mediator's Freedom to Lie*, CPR International Institute for Conflict Prevention & Resolution, Annual Meeting, 3/7/24

*Drafting and Enforcing Assignments of Rent: Collateral vs Absolute Assignments*, sponsored by Strafford Publications, Inc., 2/20/24

*Critical Issues: Dispute Prevention, Cyber Security, Bias*, sponsored by New York State Bar Association, Dispute Resolution Section, 2/6/2023

*Current Issues and Trends in Arbitration in the Financial Services Sector*, sponsored by CPR International Institute for Conflict Prevention & Resolution, Banking and Financial Services Committee and Arbitration Committee, 5/18/2023

*NYSBA's Five Part "AI Series", Part Two: Introduction to AI: "Tech" Session*, 5/ 2/2023

*Mediation: Nothing To Lose and So Much To Gain*, Celesq® AttorneysEd Center Webcast, 12/17/21

*The New Normal: Maintaining Your Network While Navigating the Future of Work*, sponsored by the NextGen Committee of the New York City Chapter of Turnaround Management Association, August 2021.

*Managing the Onslaught of COVID-Triggered Financial Services Disputes – Is Arbitration the Solution?* sponsored by the New York State Bar Association, November 2020.

Guest speaker at CPR International Institute for Conflict Prevention & Resolution, Banking and Financial Services Committee regarding use of mediation in mega bankruptcy cases and applicability of such use in non-bankruptcy context, October 2020.

*Areas of Growth in the Law*, Seton Hall Law School, 10/21/20

*We're All in this Together – Let's Mediate*, Turnaround Management Association, New York City Chapter, webinar, June 2020.

*Innovative Financing and DIP Substitutes*, Turnaround Management Association Distressed Investing Conference, February 2020.

*Supreme Court Casts Wide Net for Actual Fraud Under Section 523: Husky and its Potential Impact*, Winter Leadership Conference sponsored by American Bankruptcy Institute, December 2016.

*Lender vs Lender: Let's Get Ready to Rumble*, Winter Leadership Conference sponsored by American Bankruptcy Institute, Winter Leadership Conference 2013.

#### **Recent Publications:**

*What Del. Justices' Insolvency Ruling Means For Corps.*, Law360, [September 1, 2022](#)

*Mortgagees Holding Liens Against Chapter 13 Debtor's Primary Residence Could Be Subject To Punitive Damages For Notice Violations*, Pratt's Journal of Bankruptcy Law, [May 10, 2022](#)

*Lowering Litigation Risk & Redefining Wins Via Alternative Dispute Resolution*, Bloomberg Law, August 2021

*Mediation: Nothing To Lose and So Much To Gain*, New York Law Journal, June 2021

*Reshape Your Board For Company Restructuring*, Corporate Board Magazine, November/December 2020

*Government Agencies Propose and Consider Relaxed Banking Rules Amid Coronavirus Epidemic*, [Client Alert](#), March 23, 2020

*Agreement to Arbitrate Arbitrability Cannot Be Overridden by Courts*, [ADR Advisor](#), February 2019

*Second Circuit Rules Arbitration Clause Not Enforceable in Bankruptcy Case*, [ADR Advisor](#), December 3, 2018

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#### **VI. Pertinent bankruptcy training/experience:**

For more than 20 years, my practice has been concentrated in the representation of all constituencies in bankruptcy cases, out of court restructuring matters and commercial litigation. My experience encompasses all aspects of representation in bankruptcy cases, from pre-bankruptcy planning through consummation of a plan of reorganization and I have represented clients in bankruptcy litigation involving confirmation disputes, lien priority disputes, valuation, substantive consolidation, DIP financing, lender liability, disgorgement, union issues, asset sales, preferences, fraudulent conveyances and other avoidance actions.