

September 4, 2024

Eric J. Haber, Esq.
425 East 58th Street, Suite 11A
New York, NY 10022
Tel: (646) 265-3770
E-mail: eric@ehaberlaw.com

I. Professional	Accrediting Agency or Jurisdiction	Date of Admission
Attorney	New York State	1984
	United States District Court For the Southern District of New York	1985
	United States District Court For the Eastern District of New York	1985

II. Professional Organizations	Date of Admission	Active/Inactive
American Bankruptcy Institute	1999-2019, 2023	Active
New York City Bar Association	2020-2024	Active

III. General professional experience:

For four decades, I have specialized in bankruptcy law and I have 15 years of experience in the field of dispute resolution. **I have mediated approximately 300 adversary proceedings of all sizes and serve on the mediation panels of the bankruptcy courts for the Southern and Eastern Districts of New York and the bankruptcy court for the District of Delaware.** While most cases I have mediated involved preferences and fraudulent conveyances, some have asserted other causes of action such as breach of contract and copyright law. In addition, I have also defended and prosecuted hundreds of preference and other avoidance actions.

I also have wide-ranging experience in all aspects of bankruptcy practice, representing creditors committees, investors, equity committees, debtors and other parties in bankruptcy courts throughout the United States as follows:

- 2020 –2024 - established my own law practice specializing in bankruptcy and mediation as the Law Office of Eric Haber, PLLC and also serve as in-house counsel to Wharton Property Advisors, Inc.
- 2006 –2019, special counsel in the Bankruptcy & Restructuring Group at Cooley LLP
- 1998 to 2005, special counsel at Kronish Lieb Weiner & Hellman LLP

- 1996-1998, partner at Siegel Sommers & Schwartz LLP. and an associate at that firm from 1989 to 1985.
- 1984-1989, staff attorney at the U.S. Securities & Exchange Commission

I graduated from Harvard College with a B.A., *cum laude* in 1979. In 1983, I received my J.D. from the New York University School of Law.

IV. General pertinent experience:

I have an extensive mediation practice specializing in the area of preference and other avoidance actions as noted. Further, I have mediated hundreds of adversary proceedings and have resolved cases of all sizes seeking recoveries from \$10,000 to \$19 million in a wide variety of industries. Bankruptcies in which I have mediated adversary proceedings include Sears, Dean Foods, Fred's, Delphi Automotive Systems, WP Steel, Quebecor World (USA), Greenwich Sentry Partners, Value City Department Stores, Kodak, Greenfield Energy, Tower Manufacturing, BearingPoint, The Penn Traffic Company, Ultimate Electronics, Tweeter Electronics, MPC Computer and MAXjet Airways.

I serve on the mediation panels in the bankruptcy courts for the Southern and Eastern Districts of New York and the District of Delaware, and have also conducted mediations for cases filed in California and Texas.

Successful mediations I have handled include:

- Resolution of preference actions seeking recovery of \$19 million and \$2.4 million when serving as mediator in the Quebecor World (USA) bankruptcy case. Mediated over 50 preference actions in the Quebecor proceeding.
- Resolution of preference actions seeking recovery of \$7.1 million and \$2.1 million when serving as mediator in the Delphi Automotive Systems bankruptcy case.
- Resolution of preference action seeking recovery of \$3.0 million when serving as mediator in the WP Steel bankruptcy case.
- Resolution of preference actions seeking recovery of \$1.7 million and \$500,000 when serving as mediator in the BearingPoint bankruptcy case.

As a result of my experience litigating preference cases, I have a deep understanding of the strategies to be employed in such litigation from a variety of different perspectives which I apply to my mediation work. For example, I represented three defendants in the Circuit City bankruptcy case in separate adversary proceedings in which the trustee sought to recover approximately \$30 million, \$11 million, and \$2.5 million. All three cases were successfully resolved at mediation.

In addition, I have taught at the American Bankruptcy Institute's Mediation Training Seminar at St. John's University. Based upon my experience as a mediator, I wrote "How to Achieve a Successful Mediation" (Legal OnRamp, 2012) In addition, I have spoken before numerous trade groups regarding the preference laws, including the American Bankruptcy Institute, the New York Institute of Credit and the Knowledge Congress.

IV. Mediation training:

- Unraveling ADR in Restructuring & Insolvency Cases: A Global Perspective (Webcast), American Bankruptcy Institute, February 2024 (1.0 hours)
- Selected Ethics Issues in Mediation & Settlement Negotiations (OnDemand), NYC Bar Association), June 2022 (2.0 hours)
- Effective Mediation Advocacy: Skills and Strategies for Litigators (Webcast), NYC Bar Association, September 2021 (2.0 hours)
- Advanced Mediation Training Program, CPR/Institute of Conflict Prevention & Resolution, January 2009, (13 hours)
- Mediation Ethics: Is Your Practice at Risk; Workshop on Understanding Mediation Ethics and Workshop II: Application of Mediation Ethics, New York State Dispute Resolution Association, March 2009, (3 hours)
- Neuroscience in Mediation and Negotiation, New York City Bar, March 2018 (2.5 hours)
- Dispute Resolution Section Fall 2007 Meeting, New York State Bar Association, November 2007 (6 hours)
- Faculty, 2011 Inaugural Bankruptcy Mediation Training, American Bankruptcy Institute, December 2011 (39.5 hours)

V. Pertinent bankruptcy training

Attendance at bankruptcy conferences, CLE and events.

VI. General pertinent business or legal experience:

Please see above.