

PARTNER

# Michael M. Fay

**New York**

55 Hudson Yards  
20th Floor  
New York, NY 10001  
Phone 212 446 2371

PROFILE

**Michael's practice covers a broad spectrum of complex litigation, including financial products, bankruptcy, corporate governance, insurance, trademark, antitrust and real estate matters.**

With over 30 years of experience, Michael has represented Fortune 500 companies, numerous investment firms, hedge funds, financial institutions, and other corporations in courts across the United States. He has tried cases in state and federal courts, as well as before arbitration panels. Michael brings over two decades of experience in bankruptcy-related litigation, having represented clients in some of the largest bankruptcies, including Enron, WorldCom, and LyondellBasell. Michael is also well-versed in crafting bankruptcy-related strategies to find and create value for his clients.

Michael possesses a deep understanding of the financial markets and structured finance products, having litigated almost every significant commercial dispute involving structured finance products, including CDOs, CLOs, credit default swaps, leveraged agency, and derivative investment instruments. Michael was successful in RMBS litigation, representing trustees in mortgage loan "put-back" litigation against loan originators and RMBS securitization sponsors.

In 2023, Michael was named one of the Lawdragon 500 Leading Litigators in America for commercial litigation.

EXPERIENCE

Michael's recent experience includes:

- Successfully trying a trademark infringement action for Dan Aykroyd and his Crystal Head Vodka



PRACTICES

Creditor Rights, Bankruptcy, and Restructuring  
Financial Institutions and Private Funds  
Securities and Shareholder Disputes  
Products Liability  
Sports and Gaming  
Intellectual Property  
Antitrust and Competition  
Insurance Disputes  
Copyright, Trademarks, and Trade Secrets

EDUCATION

**University of Virginia School of Law**, J.D.; Editor in Chief, Virginia Journal of Law and Politics  
**College of William & Mary**, B.A.

ADMISSIONS

**Bars**

New York  
U.S. District Court: Eastern District of New York  
U.S. District Court: Southern District of New York  
U.S. Court of Appeals: Second Circuit  
U.S. Court of Appeals: Fourth Circuit  
U.S. Court of Appeals: Ninth Circuit

- Successfully representing a former CEO in an arbitration for wrongful termination and libel
- Litigating a \$400 million oil and gas action in the Southern District of Texas
- Challenging the sufficiency of payments made to shareholders in an over \$2.5 billion oil and gas acquisition
- Representing an international shipping company in a government forfeiture action involving United States sanctions against Iran
- Representing an automated parking garage company through bankruptcy confirmation
- Representing a patent acquisition company in a contractual dispute involving cellular phone technology

<hr/>	
<b>AWARDS AND ASSOCIATIONS</b>	×
Lawdragon 500 Leading Litigators in America	
<hr/>	
<b>CLERKSHIPS</b>	×
Hon. John A. Mackenzie, U.S. District Court: Eastern District of Virginia	
<hr/>	

---

Copyright © 2024 Boies Schiller Flexner LLP.  
All Rights Reserved.

Attorney Advertising.  
Prior results do not guarantee a similar outcome.