

PARTNER

Michael M. Fay

New York

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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

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

AWARDS AND ASSOCIATIONS

- 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

Lawdragon 500 Leading Litigators in America

CLERKSHIPS

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Hon. John A. Mackenzie, U.S. District Court: Eastern District of Virginia

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