



## Joseph Orbach

Partner

New York  
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### PRACTICES

- Bankruptcy & Restructuring

### EDUCATION

- Fordham University School of Law, J.D., magna cum laude, 2007
- Queens College, City University of New York, B.A., summa cum laude, 2004

### ADMISSIONS

- New York
- New York US Bank Ct, Eastern District
- New York US Bank Ct, Northern District
- New York US Bank Ct, Southern District
- New York USDC, Eastern District
- New York USDC, Northern District
- New York USDC, Southern District
- US Ct Appeals, 1st Circuit (ME, MA, NH, RI, Puerto Rico)
- US Ct Appeals, 2nd Circuit (CT, NY, VT)

Joe has represented a variety of clients in diverse aspects of bankruptcy and insolvency law. His practice primarily focuses on the representation of debtors, creditors' committees, secured and unsecured creditors, and trustees in corporate reorganizations, restructurings and liquidations.

In the course of such representations, Joe has analyzed and prosecuted hundreds of preferences and fraudulent transfers adversary proceedings for liquidating trustees, and has also defended dozens preference actions. Additionally, Joe has advised companies on distressed asset investments, sales and initial and secondary capital offerings. While at law school, Joe was elected to the Order of the Coif.

Joe is an American Bankruptcy Institute certified bankruptcy mediator, and is a member of the Mediation Panel of the U.S. Bankruptcy Courts of the Eastern and Southern Districts of New York and the District of Delaware.

### Experience

- **The Official Committee of Unsecured Creditors of Pear Therapeutics, Inc., a public company which created FDA approved prescription digital therapeutics**
- **The Official Committee of Unsecured Creditors of Reverse Mortgage Funding, large originator and servicer of reverse mortgages**
- **The Official Committee of Unsecured Creditors of First Guaranty Mortgage Corporation, large originator and servicer of residential mortgages**
- **Debtor's counsel to Augustus Intelligence Inc. (subchapter V debtor), an integrated artificial intelligence company.**
- **Special litigation counsel to a global healthcare services organization (and related Debtors) in connection with litigations seeking recovery of hundreds of millions of dollars in alleged fraudulent transfers.**
- **The Official Committee of Unsecured Creditors of Vertellus Specialties, Inc., global manufacturer of specialty chemicals.**
- **The Official Committee of Unsecured Creditors of AWI Delaware/White Rose, Inc., large distributor and wholesalers to**

## EMPLOYMENT

- Thompson Coburn Hahn & Hessen;  
Partner, 2022-Present  
Associate, 2021
- Hahn & Hessen LLP  
Associate, 2008-2021
- Cadwalader Wickersham & Taft  
LLP  
Associate, 2007-2008

supermarkets in the northeast.

- **The Official Committee of Unsecured Creditors of Reichhold Holdings US, Inc., the world's largest manufacturer of unsaturated polyester resins for composites.**
- **The Official Committee of Unsecured Creditors of Penson Worldwide, Inc., independent provider of brokerage, clearing and clearing-related operational and technology services.**
- **The Official Committee of Unsecured Creditors of PJ Finance Company, LLC, owner and operator of 32 apartment communities across several southern US states.**
- **The Official Committee of Unsecured Creditors of Extended Stay Hotels, owner of 680 hotels, the largest hotel bankruptcy filing.**
- **Debtor's counsel to Gracious Home (and related Debtors), owner of upscale houseware stores located in New York City.**
- **Purchaser of wholesale bicycle business including valuable well-known bicycle brands in contested 363 bankruptcy sale.**
- **Financial institution in foreclosure/bankruptcy proceedings concerning NYC taxicab medallions.**
- **Large hedge fund in purchase and ongoing capital infusions to real estate/technology company.**
- **Purchaser of portfolio of hotels in 363 bankruptcy sale.**

## Publications

- The Conway Con, *Turnarounds & Workouts*, March 2022
- Not so Technical: A Flaw in the CARES Act's Correction to "Small Business Debtor", *American Bankruptcy Institute Journal*, February 2022
- Mediation: Mother, May I?, *American Bankruptcy Institute Newsletter*, June 2016
- Can Trade Creditors Provide "Value" in a Ponzi Scheme?, *American Bankruptcy Institute Journal*, June 2015
- Pizza or Sausage? Determining the Relevant Industry for Ordinary Business Terms Under Bankruptcy Code §547, *American Bankruptcy Institute Newsletter*, October 2013
- Archway vs. Ames: Do Debtor's Activities with Other Creditors Affect Subjective § 547(c)(2)(A) Safe Harbor?, *American Bankruptcy Institute Newsletter*, March 2011

## Presentations

- The Small Business Reorganization Act: Perspectives from All the Major Players in a Case, NYIC/ABI: Insolvency 2020, October 2020