Janice Grubin

She | Her | Hers

Partner

New York

P: 212.784.5808

jgrubin@barclaydamon.com

Education

- Benjamin N. Cardozo School of Law, *ASICS International Law Journal*, Managing Editor, JD
- Reed College, BA

Practices & Industries

- Restructuring, Bankruptcy & Creditors' Rights
- Commercial Litigation & Complex Trials
- Health & Human Services Providers
- Pharmacy
- Hotels, Hospitality & Food Service

Admitted to Practice

- New York
- Connecticut

Court Admissions

- US District Court for the District of Connecticut
- US District Court for the Eastern District of New York
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York
- US Supreme Court

Biography

Janice serves as Barclay Damon's Restructuring, Bankruptcy & Creditors' Rights Practice Area chair. Her industry-agnostic practice involves representing debtors, creditors, fiduciaries, and official and unofficial committees in all aspects of voluntary and involuntary bankruptcy proceedings, corporate restructurings, and workouts in both the for-profit and not-for-profit sectors. She has served as the elected and appointed Chapter 7 and Chapter 11 trustee in cases pending in the Northern, Southern, and Eastern Districts of New York. Janice is and has been involved in a multitude of nationally significant Chapter 11 bankruptcy cases.

Bar Associations

- American Bar Association, Business Law Section, Business Bankruptcy Committee, Member; Commission on Sexual Orientation and Gender Identity, Commissioner
- LGBT Bar Association of Greater New York (LeGaL), Vice President, Association Board of Directors; Co-Chair of Judiciary Committee
- New York State Bar Association, Business Law Section, Subcommittee on Bankruptcy Law, Member

Selected Memberships & Affiliations

- Barclay Damon Women's Forum
- International Women's Insolvency & Restructuring Confederation
- American Bankruptcy Institute, Member of Asset Sales, Business Reorganization, Ethics and Professional Compensation, Health Care, and Real Estate Committees; Diversity, Equity, and Inclusion Committee Mentoring Program Mentor
- NYS Supreme Court, Appellate Division, First Department, Committee on Character and Fitness Member

Representative Experience

- Represent a publicly traded health care company in insolvency and litigation matters relating to the purchase of ambulatory surgical centers.
- Represent a century-plus-old not-for-profit organization that provides vital services and support to children, youth, and families with special needs as it works towards a post-COVID-19 realignment in Subchapter V of Chapter 11.
- Represented private equity funds in prosecuting involuntary petitions against corporate borrowers and individual guarantors.
- Represent a rural health care enterprise in restructuring, governance, operational, and litigation matters.
- Represented a textile design company in its wind-down.
- Represented a majority shareholder in the Chapter 7 bankruptcy proceeding of a private ski resort and in his spouse's Chapter 11 bankruptcy proceeding.
- Represented the shareholders of the largest check cashing and pawn broker business in New Jersey in its restructuring and served as outside general counsel to the company.
- Represent Eastern Niagara Hospital as debtor-in-possession in a Chapter 11 proceeding pending in the Western District of New York.
- Represented a potential purchaser of a dairy owned and operated by a Chapter 11 debtor through auction.
- Represented two mining companies asserting ownership interests in precious metals in the Chapter 11 liquidating cases of a refinery and its affiliates and served as special preference counsel to post-Effective Date litigation trustee.
- Assisted a rural hospital and affiliate nursing home in a restructuring, sale, and dissolution under the NY Not-for-Profit Corporation Law.

- Advised a rural hospital in restructuring and affiliation transactions.
- Represented the investor, lender, and equity holder in the two serial Chapter 11 cases of a media and entertainment company.
- Obtained a dismissal with prejudice of a $10.5 million preference lawsuit against a precious metals merchant within three months of suit commencement.
- Represented a holding company of ultra-high-end hotel properties in its dissolution and wind-down.
- Represented an internationally renowned gallery of Latin American art in defending a collection action by a Chapter 11 debtor and in its Chapter 11 proceeding.
- As a Chapter 11 trustee, operated 23 Dunkin' Donuts stores and a bakery in the New York metropolitan area while conducting six asset sales generating $21 million over three years and prosecuting avoidance, insider, and purchaser litigation leading to 33 settlements. Successfully prosecuted and collected a $9 million judgment against a proposed buyer after a bankruptcy trial on liability and extensive damage proceedings affirmed by the Southern District of New York and the US Court of Appeals for the Second Circuit. Confirmed and implemented a joint liquidating plan with over 70 percent payout to unsecured creditors.
- As a Chapter 11 trustee, managed, rehabilitated, and marketed three rent-stabilized apartment buildings in Brooklyn, New York, that led to a private sale netting an aggregate price 20 percent in excess of appraised values and a 100-percent payout to unsecured creditors under a confirmed joint liquidating plan.
- Elected as Chapter 7 trustee in an Albany, New York, not-for-profit research facility, settled estate claims against former officers and directors, monetized real property, and continue to monetize intellectual property assets.
- Represented Gordon Jewelers' official creditors' committee in Zale's.
- Represented the official bondholder committee in R.H. Macy's & Co., Inc.
- Represented the official creditors' committee in Merry-Go-Round-Enterprises, Inc.
- Represented an official equity security holders' committee in Allied Nevada Gold Corp.
- Represented an unofficial equity security holders' committee in Penn Virginia Corporation.
- Represented Northeast Utilities in its successful purchase of Public Service Company of New Hampshire.
- Successfully obtained the dismissal of a $2.3 million preference lawsuit on behalf of a client, a leader in the national commercial toll management industry.

Prior Experience

- LeClairRyan, PLLC, Member
- Spizz Cohen & Serchuk, P.C., Partner
- Drinker Biddle & Reath LLP, Partner
- Golenbock, Eiseman, Assor, Bell & Peskoe LLP, Partner

Judicial Clerkships

- US Bankruptcy Court for the Northern District of New York, Judge Stephen Gerling

Selected Honors

- Selected to *Super Lawyers* Top Women Attorneys in New York Metro, 2015–2023; *Super Lawyers* New York Metro: Bankruptcy: Business, 2006–2007 and 2014–2025
- *City & State New York*, Above & Beyond: Pride List, 2024
- American Bar Association Commission on Sexual Orientation and Gender Identity, Stonewall Award, 2024
- Tri-State Diversity Council, LGBTQ+ Leadership Award, 2023
- Manhattan Democratic Party Independent Judicial Screening Panel for the Supreme Court, Panel Administrator, 2021
- Benjamin N. Cardozo School of Law OUTLaw Alumni, Gates Award, 2019

Selected Speaking Engagements

- Tri-State Diversity Council, "Champions of Change: Building Resilience by Leading Authentically," Panelist
- LGBT Bar Association of Greater New York (LeGaL), "The Pathway to a Federal Judgeship" Webinar, Moderator
- International Women's Insolvency & Restructuring Confederation New York Chapter, "Personal Branding Olympics," Coach
- NYS Bar Association Business Law Section Committee on Continuing Legal Education, "Time Bombs in Bankruptcy"
- New York City Bar, "The *Wellness* Decision and Other Hot Topics in Bankruptcy Litigation" CLE

Selected Media

- North Country Now, "Creditors, DOH, and North Star Working Together After Weeks of Stagnation; Manzer Credited With Progress on DOH Concerns"
- Law360 Pulse, "LGBT Bar of NY Vice President Talks Pride and Backlash"; "How Attorneys Are Celebrating Pride Month in 2024"; "LGBTQ Attorneys Seek to Navigate a Changing Legal Industry"
- TMA Weekly Report, "Janice Grubin Speaks on LGBTQIA+ Inclusion Efforts"
- Law360, “How Attorneys Can Narrow LGBTQ Gap in the Judiciary”; "ABA Shines Spotlight on 3 Champions of LGBT Causes"
- *LGBT Bar NY Podcast*, “LGBTQ Fairness in the Courts”
- New York Metro *Super Lawyers Magazine*, "Dollars to Donuts"

Selected Alerts & Blog Posts

- Streamlining Business Bankruptcy: Subchapter V Compared to Chapter 11
- SCOTUS Rejects Proposed Release of Sackler Family From *Purdue Pharma* Chapter 11 Plan as Not Permitted by the Bankruptcy Code
- New York State's Secret Sauce: Summary Judgment in Lieu of Complaint
- It's Not Over Yet. Turning Your Judgments Into Dollars.
- Priority of Federal Tax Lien on Personal Property: Secured Lender vs. IRS