



Partner

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215-246-3151

Philadelphia, PA

Practice Areas

Bankruptcy, Restructuring, and Insolvency

Litigation

Debtor & Creditors Rights

Admitted

New Jersey

Pennsylvania

Education

Rutgers Law School, J.D. (2007)

Clemson University, M.B.A. (2003)

Clemson University, B.S. (2001, with Calhoun
Honors, *cum laude*)

Douglas G. Leney is a partner in our litigation department, concentrating his practice in matters involving bankruptcy and corporate restructuring, and debtor/creditor rights. Doug is a trusted advisor capable of delivering creative solutions for debtors, trustees, creditors' committees, unsecured creditors, and secured creditors in Chapter 11 reorganization and liquidation cases, Chapter 7 cases, and related adversary proceedings, including avoidance actions involving claims of preferences and fraudulent transfers. He also represents various parties in non-bankruptcy state and federal court matters, ranging from commercial workouts and foreclosures to cases brought in federal District Court under the Perishable Agricultural Commodities Act (PACA) and similar statutory regimes. Doug also has significant experience in representing borrowers, banks, and asset-based lenders in connection with loan inception and closing, as well as workouts and forbearance, inter-creditor arrangements, and related litigation. In conjunction with Archer's Corporate Department, Doug issues legal opinions related to commercial lending transactions, including non-consolidation and "true sale" opinions.

Doug has been recognized for his representation of debtors, foreign representatives, creditors, and liquidating trustees in bankruptcy cases arising under Chapter 15 of the Bankruptcy Code, which was enacted by Congress to facilitate cross-border insolvency proceedings. His unique experience includes, among other international engagements, acting as counsel to the Liquidating Plan Trustee in a Chapter 15 transfer pricing trial and successfully defeating a \$12 million tax claim. More recently, Doug was counsel to the foreign representative and obtained recognition in the first Chapter 15 case involving a debtor from mainland China, and also served as counsel to the foreign representatives in prevailing in contested recognition proceedings involving what is believed to be the first Chapter 15 case to consider such issues in the context of a Hong Kong voluntary liquidation.

Doug is well versed in all aspects of eDiscovery, and frequently oversees the collection, review, and production of paper documents and electronically stored information (ESI) in state and federal litigations of various sizes. Archer's eDiscovery infrastructure provides clients with an array of legal and technical services designed to streamline and cost-effectively manage their discovery needs. Doug has been responsible for developing sophisticated ESI search terms, forensic, and managed review protocols that not only comply with all applicable court rules, but also produce accurate, efficient, and cost-effective results for clients. As a result, Doug has significant experience in working on various document

review and eDiscovery programs and platforms, and has presented several seminars on eDiscovery issues, including the effective use of social media in litigation.

Representative Experience

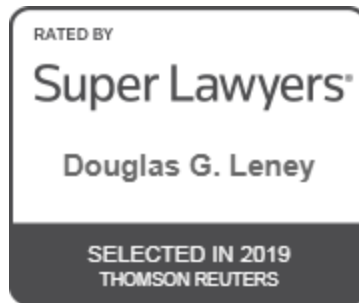
- Counsel to foreign representatives of major Hong Kong toy manufacturer in contested recognition proceedings in Chapter 15 case of *In re Manley Toys, Ltd.*
- Counsel to foreign representative and financial administrator of *Larisa Ivanovna Markus* in contested Chapter 15 proceedings involving claims of embezzlement/defalcation of nearly \$2 billion.
- Counsel to foreign representative of Chinese solar panel manufacturer in contested recognition proceedings and related complex cross-border litigation in Chapter 15 case of *In Zhejiang Topoint Photovoltaic Co., Ltd., et al.*
- Counsel to purchaser-developer in *In re Kara Homes, Inc., et al.*, successfully defending against multi-million dollar successor liability claims by condominium association in case involving issues of first impression within the Third Circuit.
- Counsel to Official Committee of Unsecured Creditors in *In re Mountain Crane Service, LLC*, a Utah case involving dozens of secured creditors and the restructuring of over \$50 million in secured debt.
- Counsel to Official Committee of Unsecured Creditors in *In re Collavino Construction Company, Inc.*, involving millions of dollars of claims and litigation in connection with construction of One World Trade Center in New York City.
- Counsel to Liquidating Plan Trustee in bankruptcy case of *In re DeCoro USA, Ltd.*, including representation of foreign liquidators in Hong Kong in connection with parent company's Chapter 15 bankruptcy case, obtaining Chapter 11 plan confirmation for the subsidiary debtor, and acting as counsel during transfer pricing trial resulting in denial of approximately \$12 million claim asserted by the IRS. Also acted as lead counsel in related adversary proceeding resulting in published opinion on recovery actions within the Fourth Circuit.
- Counsel to the Trustee in *In re Universal Marketing, Inc., et al.* bankruptcy case, including acting as trial counsel in obtaining substantive consolidation of more than 20 debtor entities, handling § 363 sales of more than a dozen petroleum stations and related equipment and property in order to generate substantial proceeds for estate, and pursuing hundreds of related avoidance actions.
- Counsel to the Philly POPS in *In re Encore Series, Inc.* and in related bankruptcy proceedings of The Philadelphia Orchestra Association, including obtaining confirmation of reorganizing plan, negotiating settlement and separation from co-debtor, The Philadelphia Orchestra, and negotiating a settlement with the longtime former maestro.

Professional and Community Involvement

- American Red Cross, Southwestern NJ Chapter – Board Member, Secretary
- Turnaround Management Association (Philadelphia/Wilmington Chapter) – Board Member
- Rutgers University School of Law Center for Corporate Law and Governance – Alumni Steering Committee Member
- Rutgers University School of Law - [Pro Bono Bankruptcy Program](#)
- Clemson Alumni Association, Philly Clemson Club – Board Member
- Clemson University MBA Alumni Council - Past Board Member
- INSOL International
- American Bankruptcy Institute
- New Jersey State Bar Association
- Camden County Bar Association
- Burlington County Bar Association

Awards and Recognition

- Super Lawyers, *Rising Stars*, 2017- 2019
- SuperLawyers, *Top Rated E-Discovery Lawyer*, 2018
- NCBJ - *NextGen Class*, 2015
- South Jersey Magazine, *Awesome Attorneys*, 2014
- Chambers & Partners, *Associates to Watch*, 2011-2013



Articles and Presentations

- *"Make COMI Great Again: A Proposal in Favor of the 'Old' View"*, presented at "Shark Tank" panel during PBI Bankruptcy Institute 2020, Philadelphia, PA, October 30, 2020
- *"Green With Envy: Cannabis Businesses and Access to Bankruptcy Courts"*, presented at "Shark Tank" panel during PBI Bankruptcy Institute 2019, Philadelphia, PA, September 25, 2019
- *"Litigating D&O Claims: What You Need to Know"*, presented at the New Jersey State Bar Association's Annual Meeting and Conference, Atlantic City, NJ, May 17, 2019.
- *"Ethics in E-Discovery"* presented at Burlington County Bar Association's CLE Xtravaganza!, December 11, 2018.
- *"How to Help Your Clients Navigate the World of Adversary Proceedings and Other Contested Matters in Bankruptcy Court"* presented at the New Jersey State Bar Association's Annual Meeting and Conference, Atlantic City, NJ, May 16, 2018.

- [Court's Recognition of Hong Kong Liquidation Could Have Broad Implications For Foreign Bankruptcy Cases](#), *Client Advisory*, April 2018. (By: Doug Leney, Esq. and [Stephen Packman, Esq.](#))
- *"Year in Review – The Creditors' Perspective"*, Panelist at the Hon. Gloria M. Burns Annual Bankruptcy Bench Bar Conference; April 25, 2017
- *"Social Media Can be a Minefield – or a Gold Mine"* (with Daniel Farino); *The National Law Journal*; August 15, 2016.
- *"The Social Media Authentication Battle Rages in Third Circuit and Elsewhere"*, *Legaltech News*, December 6, 2016. By: [Douglas G. Leney, Esq.](#) and [Dan Farino, Esq.](#)
- *"Trial Techniques for Young Lawyers - Mock Valuation Hearing"* presented at the Eastern District of Pennsylvania Bankruptcy Conference 27th Annual Forum, January 22, 2016
- *"Recent Developments in E-Discovery and the Impact of Technology on Litigation"* presented by the Camden County Bar Association, Continuing Legal Education, October 28, 2015
- *"Discovering Social Media: Common Challenges & Best Practices"* presented by the Camden County Bar Association, Continuing Legal Education, February 19, 2015
- *"Back to Basics – What Every Restructuring Professional Should Know about Using Financial Documents as Evidence"*, *American Bankruptcy Institute, Live Webinar, Jan. 21, 2014*
- *"The Revenue Rule & Recognition of Tax Claims in Cross-Border Cases"* (with Stephen M. Packman); presented at INSOL's International Annual Regional Conference, Miami, FL, May 20, 2012.
- *"Bankruptcy Basics for the Non-Bankruptcy Attorney: Advising Your Financially Troubled Client"*; presented at the New Jersey State Bar Association's Annual Meeting and Conference, Atlantic City, N.J., May 17, 2012.
- *"In the Wake of Iqbal, a Shift in Federal Pleading Standards"* (with Stephen M. Packman); *The Legal Intelligencer*; March 8, 2011.
- *"Avoidance Actions in the Post-Iqbal Era: The 'New' Federal Pleading Standard After Twombly and Iqbal"* (with Stephen M. Packman); *ABI Bankruptcy Litigation Committee Newsletter*; Vol. 7, No. 2; February 2010; reprinted, *abfjournal*; Vol. 8, No. 3; April 2010.