



Partner

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215-246-3162

Philadelphia, PA

Practice Areas

Bankruptcy, Restructuring, and Insolvency
Litigation

Admitted

New Jersey
Pennsylvania

Education

Franklin & Marshall College
B.A., 1996
Rutgers Law School
J.D., 1999

Mr. Kulback advises clients in the use of practical legal and business solutions to resolve problems in distressed business dealings. As a partner in Archer & Greiner's Bankruptcy, Restructuring and Insolvency Litigation group, he concentrates his practice counseling clients in bankruptcy, assignments for the benefit of creditors, work-outs, financial reorganizations and creditors' rights related litigation and proceedings before federal, state and bankruptcy courts.

Mr. Kulback's broad experience has allowed him to represent all constituents in these types of proceedings, including debtors, assignors, banks and institutional lenders, Chapter 11 trustees, Chapter 7 trustees, creditors' committees, trade creditors, landlords, equipment lessors, asset purchasers, preference defendants, insurance companies and equity security holders.

As "go to" counsel to national, regional and local financial institutions, Mr. Kulback has developed a reputation for expertise in commercial collections, foreclosure, receiverships, UCC Article 9, replevin, sales *pendente lite* and other enforcement proceedings, as well as complex real estate title and lien litigation. He regularly counsels clients with troubled loan negotiations, including drafting and implementation of forbearance agreements, deed-in-lieu of foreclosure agreements, and "friendly foreclosure" agreements.

Mr. Kulback regularly appears in courts throughout New Jersey and Pennsylvania, and has been admitted *pro hac vice* to appear in courts in New York, Delaware and other jurisdictions.

Representative Experience

- As trustee's counsel in the Chapter 7 proceedings of Univita Healthcare, Beanstock Media, Wave Systems and New Source Energy in the U.S. Bankruptcy Court for the District of Delaware, Mr. Kulback negotiated cash collateral and sharing stipulations resulting in significant returns to creditors.
- As the secured creditor's counsel in the Chapter 11 proceeding of Filmed Entertainment in the U.S. Bankruptcy Court for the Southern District of New York, Mr. Kulback successfully negotiated a Chapter 11 plan providing for payment in full to the secured creditor.
- As debtors' counsel in the Chapter 11 proceeding of Eastern Organic Resources in the U.S. Bankruptcy Court for the District of New Jersey, Mr. Kulback successfully obtained confirmation of a plan involving the development of a 156-acre parcel of real estate.

- As landlord's counsel in the Chapter 7 proceeding of ITT Educational Services in the U.S. Bankruptcy Court for the South District of Indiana, Mr. Kulback successfully obtained rapid rejection of the lease and purchase of the FF&E on-site allowing his client to quickly re-let the premises and mitigate its damages.
- As vendor's counsel in the Chapter 11 proceedings of Patriot Coal in the U.S. Bankruptcy Court for the Eastern District of Virginia, Mr. Kulback successfully asserted mechanics' lien rights resulting in a 100% recovery for his client.
- As borrower's counsel, Mr. Kulback successfully negotiated a deed-in-lieu transaction with TIAA involving a \$35 million CMBS loan.
- As buyer's counsel in the Chapter 7 proceedings of Woodcrest Country Club in the U.S. Bankruptcy Court for the District of New Jersey, Mr. Kulback successfully negotiated bid procedures and closed a \$10 million purchase of the golf course and related facilities.

Professional And Community Involvement

- American Bar Association
- New Jersey State Bar Association
- Camden County (N.J.) Bar Association – Debtor/Creditor Committee
- Turnaround Management Association (TMA)
- Risk Management Association of Southern New Jersey – Board Member (2017)
- INSOL– Int. Assoc. of Restructuring, Insolvency & Bankruptcy Professionals
- Rutgers School of Law - Bankruptcy Pro Bono Project
- Mantua Township (N.J.) Soccer Association - Coach
- Solicitor, Temple B'Nai Tikvah-Beth Israel, Sewell, NJ

Awards And Recognition

- Named "Awesome Attorney" by SuburbanLife Magazine (2011)
- Named "Best Attorney – Bankruptcy and Creditor's Rights" by South Jersey Biz Magazine (2015)

Articles

- Speaker, 12th Annual Bankruptcy Conference, Camden County Bar Association (February 2005) - "Hot Topics In Chapter 11"
- Speaker, 14th Annual Bankruptcy Conference, Camden County Bar Association (February 2007) – "BAPCPA – One Year In"
- Speaker, 12th Annual Hon. William H. Gindin Bankruptcy Bench-Bar Conference (April 2009) – "Chapter 11 Year In Review"
- Speaker, Negotiating Real Estate Loan Terms and Workout Options, National Business Institute (February 2010)
- Author, "How to 'Bankruptcy-Proof' Your Litigation Settlement," The Legal Intelligencer (July 2010)
- Speaker, Managing Bank Assets, Southern New Jersey Risk Management Association (February 2011)

- Speaker, New Jersey Foreclosures and Workouts, National Business Institute (July 2012)
- Speaker, BOOT CAMP: Foreclosure and Loan Workout Procedures, National Business Institute (December 2013)
- Speaker, 16th Annual Hon. William H. Gindin Bankruptcy Bench-Bar Conference (May 2014) – “Chapter 11 Plan Formulation, Negotiation, and Related Strategies”
- Speaker, BOOT CAMP: Foreclosure and Loan Workout Procedures, National Business Institute (December 2015)
- Speaker, 19th Annual Hon. William H. Gindin Bankruptcy Bench-Bar Conference (March 2017) – “Ethical Issues Arising From The Representation Of Multiple Parties In A Chapter 11 Bankruptcy”