

McCarter Obtains Favorable Ruling in a Commercial Real Estate Bankruptcy Matter

Related People:

Joseph Lubertazzi, Jr.

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Massachusetts Lawyers Weekly reported on a favorable decision Joe Lubertazzi obtained for a secured creditor in a commercial real estate bankruptcy. At issue was whether the client was entitled to relief from the automatic stay based on the debtor's agreement to waive future protections as part of an earlier Chapter 11 reorganization. Rejecting the debtor's argument that pre-petition bankruptcy waivers should be unenforceable as a matter of public policy, U.S. Bankruptcy Judge Joan N. Feeney ruled that our client could enforce the debtor's waiver in the prior case.