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EDUCATION

- Rutgers University School of Law-Newark, J.D., 1988; Rutgers Law Review, Editor
- Seton Hall University, B.A., 1985

BAR & COURT ADMISSIONS

- New Jersey, 1988
- New York, 1989
- U.S. District Court, District of New Jersey, 1988
- U.S. District Court, Southern District of New York, 1997
- U.S. Court of Appeals, Third Circuit, 1988
- U.S. Court of Appeals, Sixth Circuit, 1994

Leo V. Leyva

Member

Litigation
Appeals
Foreclosure and Lender Liability
Bankruptcy & Corporate Restructuring
Construction Services
Real Estate

Leo Leyva chairs Cole Schotz's Litigation practice in its New York office. His practice emphasizes complex commercial litigation, corporate reorganization, and construction and real estate services. Mr. Leyva represents clients in real estate litigation, corporate dissolution and shareholder oppression actions, contract claims, construction performance and payment disputes and director and officer liability matters. He also represents private equity and real estate opportunity funds in connection with various real estate matters including the acquisition of distressed properties and debt, foreclosures and bankruptcy related workouts and restructuring.

Upon graduation from Rutgers Law School, Mr. Leyva served as law secretary to the Honorable Arthur J. Lesemann, Chancery Division, Superior Court of New Jersey. Since joining Cole Schotz in 1989, Mr. Leyva has litigated through trial numerous complex commercial matters in federal and state courts in New York, New Jersey and throughout the country, as well as adversary proceedings in the bankruptcy courts.

NOTEWORTHY

Mr. Leyva has been awarded an AV rating for his professionalism and the quality of his legal work from Martindale-Hubbell, the premier directory of legal professionals. Mr. Leyva has been selected for inclusion in *New Jersey Super Lawyers®* for Business Litigation and *Best Lawyers in America®* for Bankruptcy and Creditor-Debtor Rights Law, 2010 to 2012.

Chambers USA: America's Leading Lawyers For Business, a well-respected legal directory, compiled based on in-depth interviews with key in-house counsel and private practice attorneys, ranks Mr. Leyva and notes:

Leo V. Leyva (Continued)

"Leo Leyva is identified as one of the group's most seasoned corporate litigation attorneys." *2011 Edition*.

He has also been included in *201 Magazine's* list of Top Lawyers in Bergen County for 2011. Mr. Leyva has been appointed to the New Jersey Council of Economic Advisors by Thomas H. Kean, Jr., Senate Minority Leader.

PUBLISHED DECISIONS

In re United Healthcare System, Inc., 200 F.3d 170 (3d Cir. 1999)

PUBLICATIONS

Impact of Amended Rule 2019: What Bankruptcy Practitioners Should Know, *New Jersey Law Journal*, January 23, 2012

Leo Leyva was quoted in, "Robbing Peter to Pay Paul: Fraud in Real Estate JVs," *National Real Estate Investor*, October 25, 2011

Reserve the Right to Appoint Your Own Special Servicer, *Real Estate Finance & Investment*, March 15, 2010

Contracting Party Acting in Bad Faith?, *New York Law Journal*, January 4, 2010

Retaining Lien: A Useful Tool in Uncertain Economic Times, *New York Law Journal*, December 16, 2009

How Can Developers Best Deal with a Down Economic Cycle?, *Cole Schotz Docket*, Fall 2007

Mr. Leyva is the co-author of the chapter on "Assignment for the Benefit of Creditors," assisted in the preparation of "Receivers for Corporations" for the 1995 West Publishing New Jersey Practice Series, in addition to having a number of articles published in the *New Jersey Law Journal* and *Bergen Barrister*. He was featured in an April 30, 2008 article in the *Star-Ledger* entitled "Debt Marks the Spot: Opportunity Funds Convert Trouble into Treasure." He has also lectured on various insolvency-related topics.

SPEAKING ENGAGEMENTS

- 3rd Real Estate Preferred Equity & Mezzanine Financing Summit, The Pierre Hotel, New York, NY

Leo V. Leyva (Continued)

- Hand Over The Keys, Sell, Restructure or Adding New \$\$: The Equity Holders/Buyers Guide to Working Out Your Project, *IMN's 12th Annual US Real Estate Opportunity & Private Fund Investing Forum*, June 1-2, 2011
- BISNOW Presents: NYC Real Estate Summit, September 15, 2010

PROFESSIONAL ACTIVITIES

- New Jersey Federal Bar Association
- New Jersey State Bar Association (Debtor/Creditor Section)
- Bergen County Bar Association (Debtor/Creditor Section)
- Seton Hall University Alumni Advisor Council
- Bergen Community College Foundation, Board of Directors
- New Jersey Council of Economic Advisors