

Daniel M. Pereira

Partner

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Daniel Pereira concentrates his practice on bankruptcy, insolvency and related matters. Daniel advises clients on a wide array of issues, including both transactional and litigation matters. Although Daniel primarily focuses his practice on representing creditors, he also has experience representing debtors and other interested parties, particularly foreign debtors, in cross-border insolvency and restructuring proceedings.

Among other clients, Daniel has represented banks and other lending institutions, trade vendors, service providers, commercial landlords and tort claimants. Daniel has appeared in numerous state and federal courts, pursuing, among other things, loan enforcement actions, receiverships and commercial foreclosures, defending and prosecuting preference and fraudulent transfer claims, and handling various other commercial litigation matters in addition to handling numerous out-of-court workouts. Daniel prides himself on developing practical strategies in difficult situations with an eye toward maximizing value for his clients.

Daniel received his J.D., *summa cum laude*, from Drexel University Thomas R. Kline School of Law, where he was a lead editor of *Drexel Law Review* and received his B.A. from Pennsylvania State University.

RESULTS

Daniel's experience includes the representation of:

- commercial lenders, including banks and non-traditional lenders in connection with workouts, foreclosures, receiverships and loan enforcement matters
- a nonprofit nursing home operator as a debtor under Chapter 11, successfully obtaining approval of a sale of the debtor's assets and confirmation of its Chapter 11 plan
- numerous civil litigation matters touching on real estate, contract disputes, aviation, premises liability, construction, intellectual property and corporate law
- private equity and investment management companies in navigating complex bankruptcy and restructuring matters

FOCUS

Litigation
Financial Services
Banking
Bankruptcy, Workouts & Creditors' Rights
Finance & Restructuring
Public Finance
Structured Finance
Nonprofit & Religious Organizations

BAR ADMISSIONS

Pennsylvania
New Jersey
New York
Delaware

COURT ADMISSIONS

U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the District of New Jersey
U.S. District Court for the District of Delaware
U.S. District Court for the Western District of Pennsylvania
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Eastern District of New York

EDUCATION

J.D., *summa cum laude*, Drexel University Thomas R. Kline School of Law
B.A., Pennsylvania State University

MEMBERSHIPS

Pennsylvania Bar Association
Delaware Bar Association
Eastern District of Pennsylvania Bankruptcy Conference
Secretary, Eastern District of Pennsylvania Bankruptcy Conference
Risk Management Association, Philadelphia Chapter

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- multiple foreign debtors in proceedings under Chapter 15 of the U.S. Bankruptcy Code in seeking recognition of foreign proceedings and implementation of debt restructuring plans in the United States
- a national commercial landlord in connection with leasing issues, including evictions, bankruptcy proceedings and other premises litigation
- various trade creditors in defending and favorably settling preference and fraudulent transfer claims
- a national e-commerce vendor in connection with numerous Chapter 11 retail bankruptcies, including the defense of preference and fraudulent transfer actions
- a Chapter 11 liquidating trustee in the bankruptcy of a medical device company in connection with post-petition claims administration
- government agencies in bankruptcy and civil litigation
- a prospective buyer of banking-as-service technology company in Chapter 11 bankruptcy
- a secured lender in receivership action involving affordable housing high-rise apartment building
- a lender in connection with the restructuring of municipal bonds issued to support community-based nonprofit serving disadvantaged youth
- a multinational health information technology company in multiple pharmaceutical Chapter 11 bankruptcies
- subcontractors in general contractor Chapter 11 bankruptcies
- a group of 140 former employees in Chapter 7 bankruptcy of a national weight loss company and related litigation
- a secured lender in Chapter 11 bankruptcy of a regional plastic surgery practice

SPEAKING ENGAGEMENTS

- Presenter, "Drafting and Enforcing Default Loan Terms: Notice and Cure, Acceleration, Interest, Late Fees, 'Make-Whole' Premiums,"
Strafford Webinar
- Presenter, "Dealing with Distress: An In-House Guide to Navigating Bankruptcy and Bankruptcy Alternatives as a Creditor," Association of Corporate Counsel In-House Counsel Conference
- Panelist, "Bankruptcy Code Section 1111(b)(2) Elections, Feasibility, Payment Terms and Cramdown Interest Rate Complexities,"
Strafford Webinar
- Panelist, "In Pari Delicto and Imputation Doctrines," Eastern District of Pennsylvania Bankruptcy Conference
- Presenter, "Default Interest, Late Fees and Prepayment Premiums,"
Strafford Webinar
- Panelist, "Cannabis and Insolvency," Eastern District of Pennsylvania Bankruptcy Conference
- Presenter, Eastern District of Pennsylvania Bankruptcy Conference Annual Forum

MEMBERSHIPS

Delaware Bankruptcy Inn of Court
Board of Trustees, Wissahickon
Charter School

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PUBLICATIONS

- Co-author, "The Greasy Spoon: EDPABC Bankruptcy Case Problem Series," *American Bar Association*
- Author, "Employers Should Take Note of a Recent District Court Decision Holding that the U.S. Bankruptcy Code's Automatic Stay Does Not Extend to FLSA Enforcement Actions," *Pratt's Journal of Bankruptcy*
- Author, "Third Circuit Holds Triangular Setoff Provisions Unenforceable in Bankruptcy," *The Corporate Lawyer*

RECOGNITIONS

- The Best Lawyers in America, Ones to Watch
- *Super Lawyers*, Rising Star

IN THE COMMUNITY

Daniel is an active member of the community and serves as a member of the Board of Trustees of Wissahickon Charter School, a K-8 tuition-free public charter school with two campuses located in Philadelphia. Daniel has also served as a voluntary attorney with the Support Center for Child Advocates for the entirety of his career, where he has represented the interests of numerous neglected and abused children in Philadelphia family court.