



JOHN W. KOZYAK

Of Counsel

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PRACTICE AREAS

Bankruptcy
Complex Commercial Litigation
Creditor's Rights
Debtor's Remedies
Corporate Restructuring

EDUCATION

J.D., Washington University in
St. Louis, 1975
B.S. in Marketing, cum laude,
University of Illinois, 1970

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John Kozyak is a Fellow in both the American College of Bankruptcy and the American College of Trial Lawyers. John has played a major role in bankruptcy cases across the nation, representing business owners, lenders, creditors' committees, and major creditors, and he has been appointed a trustee and receiver.

John has frequently written and lectured on bankruptcy and workout issues and has participated in seminars in many states. He was lead bankruptcy lawyer representing the Asbestos Property Damage Claimants Committee in *Celotex* for the past 20 years. He and the firm have considerable experience in other product liability bankruptcy cases.

John has a particular expertise in real estate. He has regularly represented special servicers of mortgage-backed securitizations in bankruptcies across the country. He has represented Marriott International and Ritz-Carlton, as well as other franchisers, owners, and lenders in hospitality-related bankruptcies.

John served as Trustee and Criminal Restitution Receiver in a viatical-based Ponzi scheme case, which was one of South Florida's biggest frauds, *Financial Federated* and has participated in several criminal forfeitures and bankruptcy issues.

John is very active in the community and proudly serves as the Chair of the National Parkinson Foundation. He also founded the Kozyak Minority Mentoring Foundation which helps minority law students excel in law school by matching them with judges and lawyers as mentors (www.kmmfoundation.org).

RESULTS

John was appointed Receiver by the Honorable Maria Korvick for the Signature Entities, in a matter where one 50% equity holder killed his partner and then himself. He sold the operating business and successfully managed several highly contentious litigation matters.

Financial Federated Title & Trust, Inc., was a large Ponzi scheme and John was Chapter 11 Trustee and criminal restitution receiver. There were more than 3500 creditors, the losses exceeded \$130 million and the recovery was in excess of 30%.

Charles Bray was the majority equity holder in Bray & Gillespie Holdings, which owned and 26 operating hotels and more than 50 other development sites in the Daytona Beach area. The companies filed for Chapter 11 in September 2008 and had a plan confirmed in July 2009 pursuant to which he obtained a broad release.

John represented the Flight Attendants Medical Research Institute ("FAMRI"), a non-profit foundation formed as part of class action settlement between former, non-smoking, flight attendants and tobacco companies, when a few flight attendants and a large number of lawyers sought to dissolve FAMRI. The petitioning lawyers were all disqualified due to conflicts and the petition and subsequent class action were dismissed with prejudice.