

Evan Lazerowitz

Associate



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New York

Business Restructuring
Fashion, Apparel and Beauty
Issues and Appeals
Intellectual Property Litigation

Evan's practice focuses on Chapter 11 bankruptcy cases, with a particular emphasis on the technology, life sciences, healthcare and retail sectors. He frequently represents creditors' committees and debtors, purchasers of distressed assets, landlords, individual creditors, and secured lenders in Chapter 11 cases. Evan also has significant experience handling bankruptcy appeals, investigating and pursuing fraudulent transfers and other causes of action for the benefit of bankruptcy estates, as well as dealing with cutting-edge intellectual property issues that arise in distressed situations.

Evan's noteworthy representations include representing:

- Official committees in prominent Chapter 11 cases around the US, including in Endo Pharmaceuticals, Mallinckrodt Pharmaceuticals, LTL Management (Johnson & Johnson), JCPenney, Lord & Taylor, Stage Stores, Celadon Group, True Health Diagnostics, Brookstone, True Religion Apparel, Charming Charlie, Vestis Holdings, Videology, Michigan Sporting Goods Distributors, Whittaker Clark & Daniels, and Total Hockey
- DeCurtis Corporation, Enjoy Technology, Charlotte Russe, Joyce Leslie and Hastings Entertainment in their Chapter 11 proceedings
- Gamida Cell Ltd. in its Chapter 15 proceedings and Gamida Cell Inc. in its related Chapter 11 proceedings
- The liquidating trustee of Health Diagnostic Laboratory in his prosecution of litigation challenging fraudulent schemes that resulted in hundreds of millions of dollars in damages
- Buyers of distressed assets, including in the sale of Alliance Health as a going concern
- Tort claimants in the Chapter 11 cases of New England Motor Freight

Evan's reported decisions include:

- *47 East 34th Street (NY), LP v. BridgeStreet Worldwide Inc.*, 20-cv-9978, 2021 WL 2012296 (S.D.N.Y. May 20, 2021): Successfully prosecuting a motion to remand a wrongfully removed state court lawsuit on behalf of a plaintiff based on the permissive abstention doctrine
- *In re DB Holdings Liquidation, Inc.*, 17-605, 2018 WL 4347792 (D. Del. Sept. 12, 2018): Successfully defeating a creditor's motion to compel the assumption and assignment of its contracts to a going concern buyer in the bankruptcy court and on appeal to the district court
- *Warnick v. Arrowsmith*, 3:16-CV-876, 2017 WL 2999025 (E.D. Va. July 14, 2017): Successfully defending the approval of a \$20 million settlement before the bankruptcy court and on appeal to the district court

- *Toscano v. RSH Liquidating Trust (In re RS Legacy Corp.)*, 577 B.R. 134, 135 (Bankr. D. Del. 2017): Arguing and obtaining dismissal of a class action complaint asserting millions of dollars of claims against a liquidating trust
- *In re Health Diagnostic Lab. Inc.*, 16-3271-KRH, 2017 WL 3084626 (E.D. Va. July 19, 2017): Defeating a motion to withdraw the bankruptcy reference before the district court in multiparty litigation seeking millions of dollars in damages
- *Friedman v. Dollar Thrifty Auto. Group*, Civil Action No. 14-6171 (MCA), 2014 US Dist. LEXIS 184057 (D.N.J. Dec. 18, 2014): Successfully quashing a subpoena on the grounds that it sought a third-party's confidential business information

Prior to joining Cooley, Evan was an associate at a boutique bankruptcy firm in New York City, where he represented debtors in Chapter 11 reorganizations, including a medium-sized regional clothing retailer. He previously was a commercial litigation associate at Day Pitney and served as a law clerk to Judge Mitchel E. Ostrer of the Superior Court of New Jersey, Appellate Division.

While attending the Georgetown University Law Center, Evan was an editor of the Georgetown Law Journal.

Education

Georgetown University Law Center
JD, 2013

Johns Hopkins University
BA, 2010

Admissions & Credentials

New York

New Jersey

Court Admissions

US Supreme Court

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fourth Circuit

US District Court for the District of New Jersey

US District Court for the Eastern District of New York

US District Court for the Southern District of New York

Memberships & Affiliations

American Bar Association (ABA)

New York State Bar Association