



Brian L. Davidoff

Chair, Bankruptcy, Reorganization & Capital Recovery

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Brian Davidoff tackles his clients' problems with experience, drive, and focus. He helps middle-market companies and their principals navigate difficult financial waters. Brian also guides lenders, creditors, and vendors seeking to maximize their recoveries, and represents buyers and sellers of distressed assets.

His early experience as a corporate attorney allows him to address both insolvency and business needs of his clients. Frequently, he acts as general counsel to both distressed and thriving businesses, advising them on their business growth, financings, and M&A activity.

Accomplishing your objective.

"If you're having difficulty figuring out how to deal with your company's financial distress, seeking to recover funds from a financially troubled company, or looking to buy assets of a financially distressed seller, I work with you to devise the right strategy to accomplish your objective," he says.

"I often get involved in high-stress situations. Clients' livelihoods and their companies are at stake and they put a lot of trust in you. The process can be complex and uncertain. Helping my clients understand the component pieces of the process along the way is very important. It is also difficult at the outset to predict the final outcome of a restructuring, however, by working closely with my clients I build a partnership that dramatically increases the chances of a successful result."

For example, Brian knew what was at stake for a downtown Los Angeles furniture manufacturer and retailer that ran into financial distress. The company founder and owner knew that the livelihoods of over 200 workers depended on the ongoing success of the business. "We were able in the course of a chapter 11 reorganization to restructure the balance sheet and re-negotiate the senior credit facility with the lender. The company survived, the owner again has a successful business, and the jobs of the hundreds of workers were saved."

Restoring a level of confidence.

Brian has succeeded for his varied clients—cutting across industries and objectives—by bringing a high level of skill, integrity, and commitment to the process.

“When representing a company going through a restructuring, you quickly learn that the client is often taking fire from different quarters because creditors have lost money and typically no one is happy. A critical aspect of a restructuring is to restore a level of confidence and integrity in the business operations,” he says. “This usually goes far in gaining the confidence of judges and other key stakeholders, including creditors, lenders, vendors and employees.”

With over thirty years’ experience in counseling his clients on their varied business issues, specifically in restructuring and bankruptcy, Brian has built a wealth of collegial relationships.

“In Southern California we repeatedly appear before the same bankruptcy judges and having credibility with the court is important, as is having credibility with other professionals in the restructuring and bankruptcy community with whom you may be adverse from time to time in client matters. In such a high-stress situation credible relationships can be vitally important and often enables you to work through difficult issues.”

Collaborating with other professionals.

Also important in reaching the best results for his clients is the breadth and depth of Brian’s Greenberg Glusker colleagues in other practice groups.

“It is common in a bankruptcy or restructuring case that I collaborate with my corporate, real estate, employment, litigation, or entertainment partners. In this way I can bring the various legal skills needed to properly guide the client. Outside of my law firm, I often work with financial and operational restructuring professionals to bring a complete approach to addressing the client’s issues.”

Brian’s passion outside of the practice of law is competing in triathlons. He says, “This takes a significant level of dedication and commitment. I bring this same commitment to resolution of my client’s issues.”

Brian has been married over 30 years and has two adult daughters, who enjoy competing with Brian in his athletic endeavors.

Professional Affiliations

- President, Board of Directors, [The American Board of Certification](#)
- Member, [American Bankruptcy Institute](#)
- Member, [Commercial Law League of America \(CLLA\)](#)
- Member, [Financial Lawyers Conference](#)
- Member, [Turnaround Management Association](#)
- Past Board of Governors, [Beverly Hills Bar Association](#)
- Past Trustee, [Los Angeles County Bar Association](#)
- Past Director, [Los Angeles Bankruptcy Forum](#)
- Past Chair, [Primerus Business Corporate International](#)

Awards

- *Daily Journal*, Top Bankruptcy Attorneys, 2022
- *Best Lawyers in America*®, 2017–2025
- *Chambers USA*, Leading Lawyer in Bankruptcy/Restructuring, 2016–2025
- *Southern California Super Lawyers*, 2006–2025
- *L.A. Times* Banking & Finance Visionary, 2022, 2024
- Century City Bar Association, Bankruptcy Lawyer of the Year, 2017

Bar Admissions

- California, 1982

Court Admissions

- United States District Court for the Central District of California

Education

- University of Witwatersrand, Johannesburg, South Africa (J.D., 1979)
- University of Miami (LL.M., 1981)

Representative Transactions

- Represented textile company in the acquisition of a new business in a 363 sale
- Represented visual effects company in financing and sale through section 363 of the Bankruptcy Code
- Represented debtor in reorganization of construction company to create \$250 million trust to resolve asbestos liabilities
- Represented specialty lender in connection with a \$60 million refinancing
- Represented buyer of assets structured through a foreclosure
- Represented liquidating trustee in pursuit of claims against officers and directors
- Represented manager of LLC in dispute and dissolution of LLC
- Represented health and beauty supply company in connection with reorganization and sale of assets
- Represented companies with stock option plans
- Advised company in connection with \$10 million venture capital investment
- Represented hospital in connection with restructuring
- Represented independent movie company in connection with restructuring and sale of library
- Represented printing company in add-on acquisitions
- Advised investor in \$10 million investment into a media company

- Represented buyer of assets from insolvent company
- Advised company in connection with negotiation and documentation of an exclusive supply agreement
- Represented real estate debtor in the sale of over \$250 million of assets as part of restructuring
- Represented buyers in Section 363 bankruptcy sales and assignments for benefit of creditors

Bankruptcy & Insolvency Blog

Wisdom and Wit About the World of Bankruptcy & Insolvency

May 30, 2023

The Effective Use of Section 363 Sales

When a company is not likely to survive a restructuring, its assets may have value to a third-party buyer. Absent legal protection, a buyer of a financially distressed business will usually be concerned that the company's creditors could pursue...

May 5, 2023

Bankruptcy Round-Up: In The News

Members of the Bankruptcy, Reorganization and Capital Recovery Group at Greenberg Glusker have been turned to for their thought leadership by several news outlets this year. Here is a round-up of our activity thus far: Brian Davidoff was quoted...

August 24, 2022

Crypto Contagion

Cryptocurrency had a market cap of \$10 million in early 2011; it rocketed to nearly \$3 trillion in February 2022 and is now down to about \$1.1 trillion today. Some of this year's more notable gyrations in crypto's fall from grace...

April 20, 2022

Announcements from Our Group

Firm News & Upcoming Events

Greenberg Glusker's Bankruptcy, Reorganization & Capital Recovery Group is excited to share some announcements with our clients and colleagues. Firm News: We're pleased to announce that Keith Patrick Banner was elevated to partner effective January 1, 2022. Keith focuses...

April 18, 2022

Bankruptcy Venue Reform and Upcoming Conference Call to Discuss Proposed Bill

What do the Dodgers, American Apparel, Rubio's Fish Tacos, California Pizza Kitchen, MGM Studios, and Pacific Sunwear have in common? Each is an iconic Southern California brand. But that's not all they have in common. According to statistics, over the last 20...

October 1, 2021

Purdue portends a change of bankruptcy venue laws

After agreeing to settle some 2,600 separate lawsuits over the company's involvement in fostering the nation's opioid crisis, Stamford-based Purdue Pharma, the maker of OxyContin, filed for bankruptcy protection in September 2019 — in White Plains, New York, of all...

September 7, 2021

Why Bankruptcy Venue Reform Matters

Current U.S. bankruptcy law gives companies wide discretion to file a bankruptcy in the venue of their choice. A company can file for bankruptcy in any federal district where it has its "domicile, residence, principal place of business in...

May 24, 2021

Bankruptcy Venue Reform

Late last year, I co-authored an article in the Los Angeles Daily Journal with fellow bankruptcy attorneys Elissa Miller and Zev Schectman on the need for bankruptcy venue reform. Even though we have not seen the onslaught of bankruptcy...

March 1, 2021

SAREs Revisited

Clothing stores, restaurants, gyms and other businesses find themselves in a \$52 billion and growing hole of unpaid retail rent that's been missed since April 2020. According to CoStar Group Inc. TIAA Real Estate Account — run by the...

November 12, 2020

Webinar Replay: Distressed Transactions

A Panel Discussion at ACG Los Angeles Virtual Conference

Brian Davidoff, Chair of the firm's Bankruptcy Group, moderated the panel "Distressed Transactions" during the Association for Corporate Growth (ACG) - Los Angeles' Annual Business Conference. In addition to Brian, the panel featured: Paul L. Kessler, who is the Principal...

August 26, 2020

When to Consider Acquiring a Distressed Company

Lessons for Health, Beauty & Wellness Companies [Part 3]

In this short, three-part video series, Greenberg Glusker Partners Andrew Apfelberg and Brian Davidoff discuss important financial considerations for health, beauty and wellness companies in the wake of a pandemic. Part three looks at when to consider acquiring a...

August 19, 2020

What Options Exist for a Vendor During Bankruptcy

Lessons for Health, Beauty & Wellness Companies [Part 2]

In this short, three-part video series, Greenberg Glusker Partners Andrew Apfelberg and Brian Davidoff discuss important financial considerations for health, beauty and wellness companies in the wake of a pandemic. Part two looks at what options exist for a...

August 12, 2020

What Steps to Take When Your Buyer is Financially Distressed

Lessons for Health, Beauty & Wellness Companies [Part 1]

In this short, three-part video series, Greenberg Glusker Partners Andrew Apfelberg and Brian Davidoff discuss important financial considerations for health, beauty and wellness companies in the wake of a pandemic. Part one looks at what steps a company can...

May 12, 2020

COVID-19 Uncovered

Last week I posted an article about the difficulty for restructuring professionals to predict the environment into which they are trying to "right size" the companies they are working with. What will the industry look like in 2, 3...

March 20, 2020

Will Hollywood find a special place in a government coronavirus bailout?

Variety asked my views on that recently. I don't think so. While the crisis is evolving on a day-by-day and hour-by-hour basis, I think that any financial relief to Hollywood will be more generic. Every industry that has been...

March 10, 2020

Nunc Pro Tunc Anyone?

On February 24, 2020, the United States Supreme Court ruled in a case Roman Catholic Archdiocese of San Juan v. Feliciano in connection with removal of a state court matter to Federal court, something that may have a significant...

November 7, 2016

Producers Beware: What happens when your movie distributor files bankruptcy? Part 2.

In my blog article on August 9, I focused on some of the issues that licensors need to be aware of as they license IP rights, including the concept of allowing distributors to include "damages only" clauses in the...

August 9, 2016

Producers Beware: What happens when your movie distributor files bankruptcy?

The Issue There has been written a plethora of articles about Bankruptcy Code §365(n) regarding the rights of parties to license agreements when the licensor files bankruptcy and rejects a license agreement. Generally, Code Section 365(n) allows the licensee...

February 2, 2016

Litigation Funders Find Opportunity in Bankruptcy

Published in the Daily Journal on January 27, 2016 Greenberg Glusker partner Brian Davidoff, was quoted in a January 27, 2016, article by Daily Journal reporter Steve Creighton on the opportunities for litigation funding of adversary cases in bankruptcy. The article discusses the...

February 1, 2016

Greenberg Glusker Guides Imaging3, Inc. Through Multiple Bankruptcy Appeals

Published in the Los Angeles Business Journal on January 18, 2015 Imaging3, Inc., a Burbank-based medical technology developer, emerged from Chapter 11 bankruptcy in 2013 after the reorganization plan that would convert the company's debt to equity was approved...

July 31, 2015

Experts: Drought Could Reverse Downturn in Bankruptcies

Greenberg Glusker Fields Claman & Machtinger LLP partner Brian Davidoff was quoted in an article that ran in the Los Angeles Daily Journal on July 31 st about current predictions that the bankruptcy industry will soon see a spike...

May 27, 2015

"Wellness" Has Made Us Better

On Thursday I published a blog article entitled Will "Wellness Make Us Better?", in which I posed the question of whether or not the U.S. Supreme Court would finally rule on whether or not bankruptcy courts can, in Stern type...

May 21, 2015

Will "Wellness" Make Us Better?

The United States Supreme Court will hand down its decision in the next few weeks in the case of Wellness Int'l Network, Ltd. v. Sharif ("Wellness") , 727 F.3d 751 (7th Cir. 2013) regarding bankruptcy courts' jurisdiction. The jurisdictional...

November 24, 2014

Law Firm "Clawback" Suit Goes to Ninth Circuit

Bankruptcy Judge Dennis Montali in San Francisco said last week that he will allow a direct appeal to the Ninth Circuit from one of his rulings in the bankruptcy of Howrey LLP, skipping an intermediate appeal to the U.S. District...

September 9, 2014

Mind the Statutory Gap (aka A Jurisdictional Mess)

As we all know, on June 9 of this year, the Supreme Court issued its long-awaited decision in Executive Benefits Ins. Agency vs. Arkison , 134 S. Ct. 2165, 189 L. Ed. 2d 83 (2014), which we had hoped...

January 22, 2014

What's Up for Restructuring Professionals in 2014?

Filings are Down Commercial bankruptcy filings were down by 28% in 2013 over the prior period in 2012, and overall bankruptcy filings dropped 15%, putting the country on the lowest level of petitions since 2007 according to figures released...