

Timothy A. Fusco

SERVICE AREAS

Business

- Finance
 - Restructure, Enforcement, Insolvency + Bankruptcy
- Bankruptcy, Restructuring + Insolvency

EDUCATION

- University of Michigan Law School, J.D.
- Colgate University, A.B.

BAR ADMISSIONS

- Florida
- Michigan

COURT ADMISSIONS

U.S. Court of Appeals

- Sixth Circuit
- Fifth Circuit
- Armed Forces

U.S. District Courts

- Eastern District of Michigan
- Western District of Michigan
- Florida
- Northern District of Florida



Senior Counsel

Detroit

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Timothy A. Fusco has practiced bankruptcy, real estate and debtor-creditor law for over 35 years. Since his return from service in the U.S. Navy JAG Corps, he has been involved in almost every type of bankruptcy case with a strong emphasis upon Chapter 11 and out-of-court restructuring. He also handles complex litigation in bankruptcy and federal court commercial cases. During his career Tim has chalked up extensive experience in transactional matters including loan origination and mergers and acquisition of both healthy and troubled companies.

"I strongly believe that the first step in providing legal services to my clients is to understand their business and their philosophy. I forge strong relationships with clients in order to achieve realistic and positive results."

Timothy A. Fusco

Tim also enjoys sharing his experience with others. He has spoken and written extensively on real estate and bankruptcy topics, and for the last 14 years has been an adjunct professor of law teaching bankruptcy, Chapter 11 reorganization and debtor-creditor law.

EXPERIENCE

Tim has served as counsel for the debtor in numerous Chapter 11 reorganization cases, many involving large publicly held companies including multi-state cable providers, luxury resort operators and real estate developers and operators. He also devotes much of his time to representing parties in troubled automobile supplier cases. On numerous occasions Tim has combined his extensive real estate background in the restructuring of real estate projects and developers.

Timothy A. Fusco

"I particularly enjoy the challenges that are presented in the reorganization process during troubled economic times."

REPRESENTATIVE MATTERS

- Energy Company Back Royalty Payments/Chapter 11 Bankruptcy Protection
Represented an energy company that leased significant natural gas rights to another energy company that filed for Chapter 11 bankruptcy protection. At stake was almost \$2 million in back royalty payments under the lease. The court held that under Michigan law the oil and gas lease was indeed a lease under the Bankruptcy Code, entitling the client to all past due royalty payments before the debtor could continue extracting natural gas.

PROFESSIONAL ACTIVITIES

- State Bar of Michigan, 1971, Elected Member of the Representative Assembly, 1978-81; 1998-present; Member, Special Issues Committee
- The Florida Bar

HONORS + AWARDS

- University of Michigan Law School, Associate Editor, Michigan Law Review

MILITARY EXPERIENCE

- United States Navy, Judge Advocate General's Corps, Naval Air Station, Pensacola, Florida
- U.S. Navy Lieutenant, January 1972-July 1975
- Served as trial and defense counsel, legal assistance officer, and staff judge advocate for air wing commander, and received ABA Award for Professional Merit

TEACHING EXPERIENCE

- University of Detroit Law School, Adjunct Professor of Law, 1993-present
- Wayne State University Law School, Adjunct Professor of Law, 1992

PUBLICATIONS

"Consumer Protection in Michigan: Current Methods and Proposals for Reform," 68 Mich. L Rev. 939-969 (1970)

"Effect of the 1978 Bankruptcy Reform Act on Savings and Loan Operations," 1979 U.S. League Legal Bulletin 350

"Garn-St. Germaine and Due on Sale Clauses in Michigan," 9 Mich. Real Prop. Rev. 275

SPEECHES

Speaker at numerous (over 40) professional seminars for the Practising Law Institute, ALI-ABA, Michigan Institute for Continuing Legal Education, U.S. League of Savings Institutions, American Bar Association Annual Meetings, National Business Institute, International Association of Assessing Officers and the Offshore Institute. Topics included savings and loan regulation, real estate, bankruptcy and creditors' rights, asset planning, loan documentation, commercial transactions, and asset planning.