

## Michael L. Hirschfeld

Consulting Partner

— VCARD

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### CONTACT

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Michael L. Hirschfeld is a Consulting Partner in the New York office of Milbank LLP and a member of the firm's Litigation & Arbitration Group.

### Primary Focus & Experience

Mr. Hirschfeld's practice focuses on federal and state court litigation of complex commercial matters and class actions involving securities (Mr. Hirschfeld is a member of the AIG D&O Panel) and corporate law, mergers and acquisitions and disputed bankruptcy reorganizations. Mr. Hirschfeld also has extensive experience counseling participants in international transactions and financings on litigation risks and strategies. On behalf of firm client Liggett Group Inc., he was instrumental in negotiating the first groundbreaking tobacco product liability settlement with state Attorneys General in 1996 that formed the template for the subsequent industry-wide settlement.

Representative matters concluded successfully include:

- internal investigation of reporting and contractual compliance issues for a NYSE-listed company and defense and resolution of related securities and derivative litigation
- internal investigation of accounting issues for a NYSE-listed company and resolution of subsequent SEC investigation;
- representation of private equity firm Cerberus Capital Management and affiliates in connection with their termination of a planned acquisition of United Rentals, Inc., and subsequent defense of Cerberus Capital Management and affiliates in stockholder litigation relating to the uncompleted acquisition;
- defense of Towers Perrin Forster & Crosby, Inc.'s merger with Watson Wyatt Worldwide, Inc. against claims by class of former Towers Perrin stockholders seeking a share of the merger proceeds;
- defense of The Intercontinental Exchange, Inc.'s merger with commodities exchange Board of Trade of the City of New York against a challenge by NYBOT floor brokers;
- defense of mutual fund Neuberger Berman Real Estate Income Fund, Inc. against a hostile takeover;
- defense of junior noteholders against senior lender claims asserting breach of intercreditor agreement in connection with junior noteholders' support of debtors' plan of

reorganization in Momentive chapter 11 proceedings;

- defense of senior secured lenders in the LyondellBasell bankruptcy against fraudulent transfer and related claims asserted by the Unsecured Creditors' Committee;
- prosecution of bank lender claims for recovery of additional interest in the Adelphia Communications Corp. bankruptcy; and
- prosecution of bank lender claims against officers and directors of Global Crossing.

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## ADDITIONAL DETAILS

### EDUCATION

New York University School of Law, J.D., 1973

Brown University, A.B., 1970

### ADMISSIONS

New York

US Supreme Court

US Court of Appeals for the Second Circuit

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fourth Circuit

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Tenth Circuit

US District Court for the Southern District of New York

US District Court for the Eastern District of New York

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## EXPERIENCE

General Commercial Litigation

International Arbitration

Litigation & Arbitration

United States

## FEATURED NEWS

Milbank Defeats Class Certification on Behalf of Lincoln National Life Insurance Company and Lincoln National Corporation in Two Actions

Milbank Represents Ad Hoc Group of Senior Unsecured Noteholders of Walter Investment in Successful Chapter 11 Restructuring of Mortgage Business

Milbank Guides LightSquared to Confirmed Chapter 11 Plan

Milbank Recognized for Four Restructuring Deals by *Turnarounds & Workouts*

Milbank Wins Five Turnaround Awards from M&A Advisor

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