

# Christopher (C.J.) Harayda

## PARTNER

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Office: Minneapolis



**C.J. is a trusted advisor in navigating complex bankruptcy and insolvency proceedings, distressed transactions, and financial and commercial litigation. He partners with clients to address uncertainty, manage risk, and creatively find solutions to secure the best outcome.**

C.J.'s practice centers on bankruptcy, restructuring, distressed transactions, and commercial and financial litigation. He is skilled as both a litigator and a transactional advisor, making him uniquely positioned to handle a broad array of bankruptcy, insolvency and restructuring matters.

C.J. has represented creditors, lessors, creditor committees, debtors, franchisors and other stakeholders in bankruptcy and insolvency proceedings across the country. His client representation spans multiple industries, including banks and alternative lending, agribusiness, mining and minerals, equipment supply and leasing, franchising, manufacturing, energy and retail.

He has successfully litigated cases in state and federal courts, including at trial and on appeal. C.J. is also experienced in guiding clients through successful sales and acquisitions of assets in various distressed contexts, including bankruptcy sales, receiverships sales, Article 9 dispositions and out-of-court sales.

## PRACTICES & INDUSTRIES

- Bankruptcy & Creditors' Rights
- Banking & Financial Services
- Business Litigation
- Distressed Commercial Real Estate

## ADMISSIONS

- Minnesota
- Iowa
- U.S. Bankruptcy Court for the District of Colorado
- U.S. Bankruptcy Court for the District of Delaware
- U.S. Bankruptcy Court for the District of Iowa
- U.S. Bankruptcy Court for the District of Minnesota
- U.S. Bankruptcy Court for the Northern District of Illinois
- U.S. Bankruptcy Court for the Southern District of Illinois

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# Christopher (C.J.) Harayda

C.J. also has experience counseling clients regarding loan and debt transactions, rights and remedies enforcement, and corporate trust and indenture issues.

## EXPERIENCE

Represented contract counterparty in trial and appeal as to disputed contract assumption sought by debtor in bankruptcy proceeding.

Represented largest creditor in bankruptcy case of traffic-management company, including at trial challenging Chapter 11 plan confirmation.

Represented secured lender in restructuring of senior secured loan facility with natural gas extraction company.

Represented minerals lessor in securing summary judgment on claims seeking to repudiate the rejection of a contract under Section 365 of the bankruptcy code and to recover alleged fraudulent transfers in the Bankruptcy Court for the District of Delaware.

Represented secured lender in litigation to secure summary judgment for lender on breach of contract and fraud claims.

Represented purchaser of intellectual property assets of distressed manufacturing company in assignment for the benefit of creditors proceeding.

Represented U.S. purchaser in acquisition of manufacturing assets in Mexico under Maquiladora Program in receivership proceeding.

Represented purchaser in cross-border transaction (US/Canada) for acquisition of largest paintball and accessory company in Chapter 15 bankruptcy and CCAA proceeding.

Represented purchaser in acquisition of assets of a mail order and online retailer in a Section 363 sale in bankruptcy.

U.S. Bankruptcy Court for the Southern District of Indiana

U.S. Bankruptcy Court for the Southern District of New York

U.S. Bankruptcy Court for the Southern District of Texas

U.S. Court of Appeals for the Eighth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the District of Minnesota

U.S. District Court for the Northern District of Indiana

## EDUCATION

Indiana University Maurer School of Law, J.D., 2009

University of Minnesota, B.S., 2005

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Represented purchaser in acquisition of the plant and other assets of ethanol producer in a receivership proceeding.

Represented secured lender in restructuring of \$50 million-plus loan facility, including debt-to-equity conversion.

Represented secured creditor in Uniform Commercial Code Article 9 default enforcement and subsequent sale of assets.

Represented numerous parties against more than \$25 million in fraudulent transfer claims related to the Petters Co. Ponzi scheme.

Represented defendants in litigation against claims of fraudulent transfer and breach of fiduciary duty in the construction company bankruptcy cases, including at trial and in successful appeal.

### PROFESSIONAL & CIVIC ACTIVITIES

American Bankruptcy Institute

- Bankruptcy Bulletin, Editorial Board
- Bankruptcy Section

Free Bikes 4 Kidz

International Franchise Association

- Membership Committee (MN Chapter)

Minnesota State Bar Association

Turnaround Management Association

Volunteer Lawyers Network

### NEWS

Bankruptcy & Creditors' Rights Partner Joins Stinson in Minneapolis

10.10.2022

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## SPEAKING ENGAGEMENTS

"Dealing with Digital Assets: Cryptocurrency, NFTs, and Digital Payment," American Bankruptcy Institute, August 2022

"Navigating Distressed Franchisee Issues: Understanding Franchisee Bankruptcies and Exploring Alternatives," International Franchise Association Legal Symposium, May 2021

"Acquisition of Distressed Real Estate Debt: Due Diligence, Key Contract Provisions, Mortgage and Mezzanine Issues," Strafford CLE, February 2021 and April 2022

## PUBLICATIONS

"The Automatic Stay," *Bankruptcy Practice in Minnesota Deskbook*, 2022 Updated Version

"Receiverships: Minnesota," *Thomson Reuters Practical Law*, August 2022

"Strategies for Purchasing IP Assets from Distressed Owners," *Law360*, June 2020

"Article 9 Sales Offer Alternative to Judicial Processes," *Journal of Corporate Renewal*, July 2018