

Michael B. Lubic

Partner

Los Angeles
+1.310.552.5030

San Francisco
+1.415.882.8075

michael.lubic@klgates.com

OVERVIEW

Michael Lubic is a partner in the firm's Finance practice. He has a broad insolvency practice encompassing litigation, transactions, and counseling in connection with troubled businesses, distressed assets, and complicated commercial frauds. His areas of industry focus include automotive, aviation, aviation services, energy, franchise and distribution, healthcare, hospitality, insurance, real estate, and retail. He has a national practice representing lenders to auto dealers. He is a skilled mediator and frequently mediates bankruptcy and other complex commercial disputes.

Michael's practice in the areas of insolvency, bankruptcy, creditors' rights and remedies, and transactions involving troubled companies is divided between “in court” work and “out of court” work. The “in court” practice involves representing parties — including debtors, secured and unsecured lenders, trade creditors, creditors' committees, acquirers, and trustees — in connection with bankruptcy cases, as well as representing creditors and debtors in connection with state and federal court proceedings involving creditors' rights and remedies. His work in bankruptcy cases generally involves Chapter 11 business reorganizations, although he is also experienced in Chapter 7 liquidations and Chapter 13 adjustment of debts. He has represented significant creditors in no less than five Chapter 9 municipal bankruptcy cases, including the representation of CalPers in the City of San Bernardino and City of Stockton cases. Bankruptcy work includes litigation involving cash collateral, adequate protection, relief from the automatic stay, preferences, fraudulent transfers, dischargeability of indebtedness, and disclosure statement and plan confirmation issues. Other federal and state court work generally involves representing creditors, including victims of fraud and white collar crime, in collecting money or recovering assets. This work also includes issues related to prejudgment remedies, enforcement of judgments, and receiverships.

Michael's “out of court” work includes counseling debtors and creditors in "work out" situations; mergers and acquisitions involving troubled companies or distressed assets, including the change of ownership of operating businesses through general assignments for the benefit of creditors; counseling businesses in difficult and crisis situations; business planning and structuring transactions to minimize future insolvency-related risks (particularly technology transactions, IP licenses, and supply chain transactions involving vendors of critical goods and services); representing both borrowers and lenders in connection with structured finance transactions and bankruptcy remote entities; and counseling boards of directors and companies in connection with distressed situations and the orderly winding up of businesses, including through general assignments for the benefit of creditors.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Michael led the West Coast bankruptcy, insolvency and creditors' rights practice of a national law firm as a partner in its Los Angeles office. He is a skilled mediator and mediates complicated business disputes. He has been appointed to the mediation panel of the United States Bankruptcy Court for the Central District of California since 1998. As a panel mediator, he frequently conducts mediations on a pro bono basis. Michael has been selected for inclusion in the Southern California Super Lawyers by *Los Angeles Magazine* every year since 2004.

Michael engages in a wide variety of pro bono work and community activities. He served on the board of the Alzheimer's Association, chairing its Governance and Audit committees. He has represented Grameen Foundation USA (an internationally known organization promoting micro-lending to reduce poverty), the National Center for Science Education, various dog rescue and dog park groups, and CASA (court appointed special advocates for children) volunteers in children's court.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Bankruptcy/Restructuring in California, 2023-2026
- Named a Thomson Reuters Stand-out Lawyer, 2021, 2023, and 2024, and Acritas Star, 2016-2018
- Recognized by *The Best Lawyers in America*® in Los Angeles, CA
  - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2023-2027
  - Litigation - Bankruptcy, 2023-2027

PROFESSIONAL / CIVIC ACTIVITIES

- State Bar of California
- American Bar Association (Section on Corporate, Banking, and Business Law)
- American Bankruptcy Institute
- Turnaround Management Association
- Los Angeles County Bar Association, Member, Subcommittee on Bankruptcy Law, 1990-1993, 1999-present
- Financial Lawyers Conference
- Los Angeles Bankruptcy Forum, Member, Board of Directors, 2011-2015
- California Bankruptcy Forum, Education Co-chair 2015
- California Receivers Forum

- Alzheimer's Association, California Southland Chapter, Member, Board of Directors, 2006-2010; Chair, Governance Committee, 2008-2009; Chair, Audit Committee, 2009-2010
- National Center for Science Education, Member, National Legal Advisory Panel, 2000-present
- University of Chicago Graduate School of Business Club of Southern California, Secretary, 1987-1990

SPEAKING ENGAGEMENTS

- The Impending Real Estate Crisis: Opportunities and Challenges for Real Estate and Restructuring Attorneys and Professionals, Bay Area Bankruptcy Forum, 2024
- Preparing for a Rising Interest Rate Environment, Association of Corporate Counsel Southern California, 2014
- Hang 9: The Future of Municipal Bankruptcies, California Bankruptcy Forum, 2014
- Pensions and Bankruptcy (Peace Officers Research Association of California, PORAC, 2014
- Advanced Topics in Assignments for the Benefit of Creditors, California Bankruptcy Forum, 2012
- Environmental Issues Affecting Real Property in Bankruptcy, California State Bar Annual Meeting, 2011
- The Beneficent Government: Federal and State Regulators in Bankruptcy Cases, Los Angeles Bankruptcy Forum, 2011
- M&A in 2010: Solutions for the New Economic Landscape, Association of Corporate Counsel, Southern California Chapter, 2010
- How Practitioners Have Responded to the BAPCPA Amendments, Los Angeles County Bar Association, 2007
- Recent Amendments to Small Business Rules, Los Angeles County Bar Association, 2006
- General Assignments for the Benefit of Creditors, Santa Clara County Bar Association, 2001
- Guest Lecturer, Insolvency Considerations in Licenses of Intellectual Property, Loyola of Los Angeles Law School, 2001
- Is Bankruptcy the Answer to Your Environmental Woes, Environmental Law Section, Los Angeles County Bar Association, 1998
- Gender Bias in Bankruptcy Practice, Los Angeles County Bar Association, 1993
- Panel on Gender Fairness, Orange County Bankruptcy Forum, 1993
- Adjunct Lecturer, Bankruptcy Tax, Golden Gate University, 1993
- Investing in Troubled Companies, Los Angeles County Bar Association, 1992

EDUCATION

- J.D., The University of Chicago Law School, 1985
- M.B.A., The University of Chicago, 1985
- B.S., Yale University, 1981 *(cum laude)*
- M.A., Yale University, 1981

ADMISSIONS

- Bar of California
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

THOUGHT LEADERSHIP *POWERED BY HUB*

- May 2021, May 2021 Accolades
- 4 March 2021, Case Notes: Brazos Electric's Bankruptcy Filing

OTHER PUBLICATIONS

- “Contractors' Joint-check Agreements: Use at your Peril,” *American Bankruptcy Institute Journal*, Vol. XX, No. 2, March 2001 by Michael B. Lubic and Jennifer Phelps
- “Creditors' Rights and Remedies in Environmental Cases,” *California Environmental Law & Remediation*, August 1998
- “Bankruptcy and Reorganization,” Chapter 24 to *Energy Law and Transactions*, Matthew–Bender, by Michael B. Lubic, Cherie Erickson Harris, and Wendell Adair, 1990
- “Bankruptcy in the Natural Gas Industry,” Chapter 33 to *Regulation of the Gas Industry*, Matthew–Bender, by Michael B. Lubic, Cherie Erickson Harris, and Wendell Adair, 1989

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide

- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch

AREAS OF FOCUS

- Restructuring and Insolvency
- Commercial Disputes
- Corporate and Acquisition Finance
- Distressed Real Estate
- Healthcare and FDA
- Mergers and Acquisitions

INDUSTRIES

- Automotive
- Aviation
- Consumer Goods and Services
- Franchising
- Healthcare
- Manufacturing
- Resort, Hospitality, and Leisure
- Transportation and Logistics