

# Daniel M. Eliades

## Partner

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## OVERVIEW

Daniel Eliades is a partner in the firm's Finance practice. He regularly represents franchisors, resort owners and associations, real estate developers, automobile lessors, and financial institutions in all phases of debtor and creditor relations.

Daniel regularly represents franchisors in out-of-court workouts and restructurings with distressed franchisees; collection and enforcement litigation (including mediation and arbitration proceedings); bankruptcy cases of franchisees; receiverships; and other debtor/creditor matters involving franchisor-franchisee relations. Daniel has represented franchisors in thousands of such matters throughout the United States and internationally. His representations include efforts to: (a) maximize the recovery of amounts due franchisors; (b) if appropriate, rehabilitate and restructure the existing franchisor/franchisee relationship; (c) when directed, facilitate the transition of franchised businesses to “good standing” or new franchisees; and (d) protect franchisor marks and systems from unauthorized use or continued use by “bad acting” franchisees. Daniel provides guidance to emerging systems as well as some of the largest franchisors in the world.

Daniel routinely assists financial institutions, finance entities, automobile lessors, real estate holding companies, and other entities in loan restructurings, compositions, assignments for the benefit of creditors, commercial collection and foreclosure actions, lease financing, and all phases of bankruptcy representation. His insight into the issues facing lenders well positioned Daniel for his service on the Board of Directors of a publicly traded financial institution.

Daniel also represents financially distressed businesses in out-of-court workouts and restructurings in bankruptcy proceedings. He has represented a wide range of retail businesses, manufacturers, timeshare developers, associations, real estate investors and service providers in successful reorganization efforts.

Daniel advises timeshare developers, resort owners, associations, and exchange companies in a variety of debtor/creditor issues. He represents association resort owners in inventory recovery programs in judicial and non-judicial foreclosure jurisdictions across the United States. Daniel also represents timeshare developers in bankruptcy litigation, defending consumer claims, financing matters, debt restructurings, HOA litigation, commercial disputes (including construction litigation), and disputes involving third party exit entities.

Finally, Daniel has published numerous articles and served as a contributor in reference and practice series in the areas of bankruptcy law, franchise law, foreclosure and bankruptcy fraud. He is a frequent speaker on these and related issues and was formerly an Adjunct Professor, Bankruptcy Law, at New York University, School of Continuing Education.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Daniel served as a partner for a national law firm on its bankruptcy and creditors' rights, franchise, and hospitality teams.

## ACHIEVEMENTS

- Recognized by *Chambers USA* for Bankruptcy/Restructuring in New Jersey, 2026
- Recognized by *The Best Lawyers in America*® for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law in Newark, NJ, 2013-2027
- Named a Thomson Reuters Stand-out Lawyer, 2026
- AV Preeminent rated by *Martindale Hubbell*®, 2016-2022
- Recognized in *NJ Monthly's* “New Jersey Super Lawyers,” 2007-2022
- Recognized as a BTI Client Service All-Star, 2019
- Listed in “Bergen's Top Lawyers” in *201 Magazine,* 2012-2016
- Recognized as a *New Jersey Monthly* Rising Star, 2006
- Former Master in the William H. Gindin Bankruptcy Inn of Court
- Member of District II B Ethics Committee, 2003 – 2007 (Appointed by the Supreme Court of New Jersey)
- Special Master in the Matter of P.U.R.G.E. v City of East Orange, Election Dispute (Appointed by New Jersey Superior Court)

## PROFESSIONAL / CIVIC ACTIVITIES

- American Bar Association
- American Resort Development Association
- Commercial Law League of America
- Essex County Bar Association
- International Franchise Association
- New Jersey Bar Association, member of Franchise Law Committee

- Vice Chair of the Franchise Law Committee of the New Jersey Bar Association - 2021-2022

## SPEAKING ENGAGEMENTS

- "Challenges Continue: Problems and Solutions for the Distressed Franchisee", *Franchise Times* - Legal Eagles Virtual Summit, April 2022
- "Real Estate Market and Landlord Negotiations for Franchisees", *Orangetheory Fitness*, July 2020
- "Franchisee Bankruptcies, The Next Wave," International Conference of Shopping Centers, September 2019
- "Today's Mail: Notice of Bankruptcy – What In-house Counsel Need to Know," *Association of Corporate Counsel New Jersey*, August 2019
- "Consumer and Third Party Exit Claims in the Timeshare Industry," *DRI Retail and Hospitality Conference*, May 2019
- "Bankruptcy Considerations for Franchisees and Franchisors," *New Jersey State Bar Association, 2019 Bankruptcy Bench Bar Conference*, April 2019
- "Mock 2004 Examination," *20th Annual Hon. William H. Gindin Bankruptcy Bench-Bar Conference,* March 2018
- "Real Estate Valuation in Bankruptcy Cases," *National Association of Independent Fee Appraisers,* October 2012
- "The Financially Distressed Franchisee – Advanced Strategies for Franchisors and Franchisees," *American Bar Association,* Phoenix, Arizona, October 2007
- "Litigation Against Non-Debtor Third Parties and Subordination of Claims," *New Jersey State Bar Association, 2006 Bankruptcy Bench/Bar Conference*
- "Small Business: Where Does it Fit in Bankruptcy?" *New Jersey State Bar Association, 2001 Bankruptcy Bench/Bar Conference*
- "New Jersey Bankruptcy Practice," *New Jersey Institute for Continuing Legal Education,* 2001

## EDUCATION

- J.D., Seton Hall University School of Law, 1990
- B.A., The College of New Jersey, 1987 *(Pi Alpha Sigma)*

## ADMISSIONS

- Bar of New Jersey
- Bar of Washington

- United States Court of Appeals for the Third Circuit
- United States District Court for the Central District of Illinois
- United States District Court for the District of Colorado
- United States District Court for the District of New Jersey
- United States District Court for the Eastern District of Michigan
- United States District Court for the Northern District of Florida
- United States District Court for the Western District of Michigan
- United States District Court for the Western District of Washington
- United States District Court for the Western District of Wisconsin

## THOUGHT LEADERSHIP *POWERED BY HUB*

- March 2026, February and March 2026 Accolades
- 25 July 2022, District Court Shows Timeshare "Exit" Attorney the Exit

## OTHER PUBLICATIONS

- "An Overview of Chapter 11 Franchisee Cases," *American Bankruptcy Institute*, 2023
- "Friendly Foreclosure: A Non-Bankruptcy Alternative to Resolution of Franchise Defaults," *New Jersey Lawyer*, February 2019
- Editor, The Bankruptcy Handbook for Franchisors & Franchisees, American Bar Association Forum on Franchising, 2018
- "The Bankruptcy Filing—Initial Issues," Chapter 2, *The Bankruptcy Handbook for Franchisors & Franchisees*, American Bar Association Forum on Franchising, 2018
- "Where Do We Go From Here? The Consequences Of Rejecting Contracts," *Westlaw Journal,* April 2014
- "Hungry For Cash, Casual Dining Co's. May Flock To Ch. 11," Quoted in *Law360* article, February 2014
- "Too Hot to Cybersquat: How Franchisors Can Use the Anticybersquatting Consumer Protection Act," American Bar Association, *Franchise Law Journal*, Spring 2012
- "Franchisee Chapter 11: A Primer for Franchisors," *ALM Law Journal Newsletter*, February 2008
- "Elusive Sovereign Defendant: A Primer on Sovereign Immunity in Bankruptcy Proceedings under 11 U.S.C. §106," *New Jersey State Bar Association Bankruptcy Law Section Newsletter,* November 1999
- "Bankruptcy Fraud," Chapter 34, *Business Crime,* Matthew Bender, 1999

- "Partnerships," Volume 12, New Jersey Pleading and Practice Forms Series, Lawyers Cooperative Publishing, 1996
- "Fraudulent Conveyances," Volume 9, *New Jersey Pleading and Practice Series,* Lawyers Cooperative Publishing, 1996
- "The Fair Foreclosure Act: A Mixed Bag for Lenders and Borrowers," *ECBF Chronicle,* December 1995
- "Tax Assessors Personal Liability for Biased Assessments," *Real Estate New York,* November 1995

## NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 2 February 2026, Nearly 50 K&L Gates Lawyers Recognized on *Thomson Reuters* Stand-out Lawyers List
- 12 April 2023, Legal Eagles Virtual Summit: Tackling System Change and Enforcement, Hosted by Franchise Times
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 6 April 2022, Challenges Continue: Problems, Solutions for the Distressed Franchisee, Hosted by Franchise Times
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch

## AREAS OF FOCUS

- Restructuring and Insolvency

## INDUSTRIES

- Consumer Goods and Services
- Franchising