



Robert E. Nies

Member of the Firm

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Overview

Robert Nies, a member of the firm's Bankruptcy and Creditors' Rights Group, has served the business community for more than 25 years, advising on a wide range of bankruptcy and creditors' rights issues, complex commercial litigations and mediations.

Rob has extensive nationwide experience in the areas of corporate insolvency and reorganization. He also has a niche litigation practice that pursues the fraudulent transfer of assets - particularly through the unlawful use of alter ego and successor entities - in state court litigation and subsequent bankruptcy filings.

A successful mediator in all aspects of bankruptcy and commercial litigation, Rob is a founding member and former master in both the New Jersey Bankruptcy Inns of Court and the Justice Marie L. Garibaldi American Inn of Court for Alternative Dispute Resolution. He brings a unique perspective to creative problem solving in the areas of bankruptcy and related litigation.

On September 1, 2017, Rob was appointed by the NJ Supreme Court to serve as a board chair for the NJ Lawyers Assistance Program and has served on the board of trustees since 2012.

Representative Matters

Rob has extensive nationwide experience in the areas of corporate insolvency and reorganization, including:

- Lead bankruptcy counsel for International Fidelity Insurance Corporation in the restructuring of multi-million dollar surety bond obligations in the Chapter 11 of East West Resort Development
- Representing the Chapter 11 Trustee for 15-13 Hempstead Properties in the sale of a 364 unit apartment complex on the Boardwalk in Atlantic City, NJ
- Lead bankruptcy counsel to the Official Creditors Committee in Velocita Corp.
- Representing The Bank of New York in the O'Brien Environmental Energy, Inc. Chapter 11 reorganization, in which he obtained a repayment of principal in full with interest for the client
- Lead bankruptcy counsel for the senior debenture committee in the first New Jersey casino bankruptcy filing, Resorts International
- Representing Forest Oil Corporation in the pursuit of a \$40 million "take-or-pay" gas purchase contract claim in the Chapter 11 reorganization of Columbia Gas Transmission Corp.
- Representing Public Service Electric & Gas, Inc., in the Chapter 11 reorganization of Thermal Systems, Inc., opposing efforts to reject a \$20 million "remediation" contract with PSEG

- Lead bankruptcy counsel for Skylands Park Management, Inc., a publicly owned, minor league baseball stadium, on a plan of reorganization that was confirmed through the use of proceeds of a public stock offering in Chapter 11

Recognition & Involvement

Recognition

- *Chambers USA*, New Jersey Bankruptcy/Restructuring (2011-2018)
- *The Best Lawyers in America*, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, Bankruptcy Litigation, Commercial Litigation (2007-2019)
- *New Jersey Super Lawyers*, Bankruptcy: Business, Business Litigation, Alternative Dispute Resolution (2006, 2008-2009, 2011-2018)
- Martindale-Hubbell AV[®] Rating (1995-2015)
- New Jersey's Top Rated Lawyers (2014)

Involvement

- American Bar Association
- Essex County Bar Association
- New Jersey State Bar Association
- New Jersey Lawyers Assistance Program, Board Chair (2017-2018), Trustee (2012-2020)

Insights

Publications

Debtor-in-Possession Lending (February 20, 2017)

Dipping your Toe Into DIP Lending? (November 16, 2016)

Colleagues, Classmates, Best Friends (June 28, 2016)

NJLJ: The Nonprofit's Bankruptcy Conundrum: Filing Is Permitted, but Uniquely Restricted (February 8, 2016)

New Jersey Legislature Aims to Pass Maintenance Requirement Bills (Fall 2015)

Credit Bargains Modified: The Significant Impact Recent Judicial Decisions Will Have on Secured Lenders' Recoveries in Bankruptcy (September 2015)

Getting Creative: The Secured Creditor's Plan for Orderly Liquidation in Chapter 11 (January 29, 2015)

A Secured Creditor's Chapter 11 Chess Match: Should he seek to dismiss, exit or participate in the reorganization? (February 3, 2014)

A Standing Dilemma: Is possession of a negotiable note required to foreclose a securitized mortgage? (June 3, 2013)

Knowing Your Options When A Personal Indemnitor Considers Bankruptcy Protection (January 2011)

Municipal Bankruptcy: Pipe Dream or Panacea? (December 2010)

A Promising Crack in Third Circuit Precedent for Section 363 Auctions (June 1, 2009)

The Economic Crash of 2008: A Bankruptcy Perspective (June 2009)

Two Sides of the Coin (January 14, 2008)

The Bankruptcy Code Change: Attorneys and CPAs Speak Out (August 2007)

A Prudent Approach to U.S. Bankruptcy Law: Pay Attention, Plan and Proceed (May 2007)

Redoubling our Efforts Post-Sept. 11 (February 18, 2002)

Speaking Engagements

27th Annual Northeast Surety & Fidelity Claims Conference (September 21-23, 2016)

IMN's 4th NY Bank CRE Workout Forum: "Selling Assets In A Bankruptcy Or Foreclosure & Key Related Legal Issues" (March 14, 2013)

The Impact of Third Party Actions on Credit Analysis (February 2, 2011)

The Interplay Between Bankruptcy & Intellectual Property Law: When Titans Clash, Something Has To Give! (May 3, 2006)

Alerts

Secured Creditors Need to Rethink Collection Efforts (May 2018)

Potential Problems for Secured Lenders with IP Collateral in Bankruptcy (February 2010)

Trademarks Are Treated Differently from Other IP in Bankruptcy (February 2010)

Examining the Different Treatment in Bankruptcy for Exclusive vs. Non-Exclusive License Agreements (January 2010)

The Use of IP Rights to Control the Section 363 Sale Process in Bankruptcy (January 2010)

IP and Bankruptcy Law: Perfect Together (January 2010)

News

27 CSG Attorneys Named to Best Lawyers in America 2019 (August 15, 2018)

CSG Achieves High Rankings in 2018 Chambers USA (May 3, 2018)

33 CSG Attorneys Selected for Inclusion in 2018 New Jersey "Super Lawyers" and "Rising Stars" (March 19, 2018)

Robert Nies Appointed as NJLAP Board Chair (August 24, 2017)

26 CSG Attorneys Named to Best Lawyers in America 2018 (August 15, 2017)

36 CSG Attorneys Selected for Inclusion in 2017 New Jersey "Super Lawyers" and "Rising Stars" (March 14, 2017)

27 CSG Attorneys Named to Best Lawyers in America 2017 (August 15, 2016)

Chiesa Shahinian & Giantomasi Achieves High Rankings in 2016 Chambers USA (May 27, 2016)

32 CSG Attorneys Selected for Inclusion in 2016 New Jersey "Super Lawyers" and "Rising Stars" (March 22, 2016)

25 CSG Attorneys Named to Best Lawyers in America 2016 (August 17, 2015)

Chiesa Shahinian & Giantomasi Achieves High Rankings in 2015 Chambers USA (May 19, 2015)

32 Wolff & Samson Attorneys Selected for Inclusion in 2015 New Jersey "Super Lawyers" and "Rising Stars" (March 18, 2015)

26 Wolff & Samson Attorneys Named to Best Lawyers in America 2015 (August 21, 2014)

Wolff & Samson Achieves High Rankings in 2014 Chambers USA (May 23, 2014)

Twenty-seven Attorneys from Wolff & Samson Named to Best Lawyers in America (August 16, 2013)

Wolff & Samson Achieves High Rankings in 2013 Chambers USA (June 4, 2013)

Thirty-five Wolff & Samson Attorneys Selected for Inclusion in 2013 New Jersey "Super Lawyers" and "Rising Stars" (May 1, 2013)

Twenty-eight Wolff & Samson Attorneys Named to Best Lawyers in America (September 18, 2012)

Wolff & Samson Achieves High Rankings in 2012 Chambers USA (June 7, 2012)

Thirty-three Wolff & Samson Attorneys Selected for Inclusion in 2012 New Jersey "Super Lawyers" and "Rising Stars" (April 4, 2012)

Twenty-five Attorneys from Wolff & Samson Named to Best Lawyers in America (September 6, 2011)

Wolff & Samson Garners High Rankings in 2011 Chambers USA (June 13, 2011)

Thirty-one Wolff & Samson Attorneys Selected for Inclusion in "New Jersey Super Lawyers" and "Rising Stars" (March 21, 2011)

Wolff & Samson Attorneys Named to "Best Lawyers in America" (September 2009)

Related Practices

- [Bankruptcy & Creditors' Rights](#)
- [Litigation](#)

Education

- Seton Hall University School of Law (J.D., 1979)
- University of Delaware & Rutgers University (B.A., *magna cum laude*, 1976)

Bar & Court Admissions

- New Jersey
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern and Eastern Districts of New York