



Michael J. Riela

PARTNER

✉ riela@thsh.com

☎ [212-508-6773](tel:212-508-6773)

🌐 [LinkedIn](#)

Practice Areas

- [Creditors' Rights & Business Reorganization](#)
- [Cybersecurity and Data Privacy](#)

Areas of Focus

- Creditors' Rights
- Bankruptcy Reorganizations and Liquidations
- Distressed M&A Transactions
- Debtor-in-Possession (DIP) and Exit Loan Financing
- Workouts
- Bankruptcy Litigation
- Cybersecurity and Privacy

Industries

- [Cannabis](#)
- [Professional Service Firms](#)
- [Technology](#)

Biography

Michael advises clients in complex corporate restructuring, bankruptcy, data privacy and cybersecurity matters. He is also an experienced general business attorney, advising clients in general corporate, finance and litigation matters, including negotiating and drafting complex commercial contracts.

Michael is a frequent author and speaker. The "Publications" and "Events" tabs highlight many of his recent articles and speaking engagements.

Creditors' Rights & Business Reorganization and Insolvency Litigation

Michael has in-depth experience in advising clients in corporate and real estate Chapter 11 and Chapter 7 bankruptcy cases, out-of-court restructurings, M&A transactions involving distressed sellers, debtor-in-possession (DIP) and bankruptcy exit loan facilities, secondary market trading of distressed debt and trade claims, and insolvency-related litigation. He has particular experience defending complex preference and fraudulent transfer cases, and with handling professional retention and fee dispute matters in bankruptcy cases. Michael focuses on helping clients minimize cost, delay and risk by developing and implementing out-of-court strategies when possible.

Michael's clients primarily include distressed companies, boards of directors, indenture trustees, hedge funds, private equity firms, landlords, professional services firms (including major accounting firms), trade creditors, contract counterparties and shareholders.

Michael's restructuring and bankruptcy practice spans across numerous different industries, though much of his recent work has been focused on the staffing, real estate, construction, retail, technology, and cannabis industries.

The "Case Studies" tab lists many of Michael's most significant engagements.

Cybersecurity and Data Privacy

Michael assists clients identify, evaluate and manage risks associated with their data privacy and security practices. He advises clients on various U.S. federal and state privacy and data security laws and rules, including the Gramm-Leach-Bliley Act, the New York State Department of Financial Services cybersecurity regulation, HIPAA, the California Consumer Privacy Act (CCPA), and state data breach notification laws. He also advises clients with respect to the European Union's *General Data Protection Regulation* (GDPR) and with respect to cross-border data transfers.

Michael helps clients evaluate their data security risks, and prepares and helps clients implement security documentation, including written information security programs, systems access policies and incident response plans. After a data breach occurs, Michael assists clients in addressing legal, operational and reputational risks arising from the breach.

Michael is a Certified Information Privacy Professional / United States Private Sector (CIPP/US), a Certified Information Privacy Professional / Europe (CIPP/E) and a Certified Information Privacy Manager (CIPM), which are designations awarded by **The International Association of Privacy Professionals (IAPP)**.

Michael is an active volunteer in the community, serving as a Cub Scout leader and a Little League baseball coach. He also serves on the board of directors of the Edgemont School Foundation.

⊖ Significant Matters

- Distressed companies in out-of-court workouts and Chapter 11 cases, including:
 - FLAG Telecom Holdings Limited
 - Freedom Communications Holdings, Inc.
 - Solutia Inc.
 - SOMS Technologies LLC
 - Numerous out-of-court workouts
- Lender groups, indenture trustees and administrative agents in major Chapter 11 cases and out-of-court workouts, including:
 - Atrium Corporation
 - Berkline/Benchcraft, LLC
 - Buffets Inc.
 - Delta Air Lines Inc.
 - Extended Stay Inc.
 - J.L. French Automotive Castings, Inc.
 - Legends Gaming LLC
 - Maher Terminals LLC
 - Nortel Networks Inc.
 - Pacific Energy Resources Ltd.
 - Premier International Holdings Inc.
 - Siméus Foods International, Inc.
- Financial institutions as secured lenders in bankruptcies and state law remedies involving defaulted equipment financing arrangements.
- Purchasers and sellers in distressed and non-distressed M&A transactions, including the following transactions:
 - Evergreen Solar, Inc.
 - SOMS Technologies LLC
 - Sonic Telecommunications International, Ltd.
 - Urban Communicators PCS Limited Partnership
 - U.S. Aggregates, Inc.
 - Vectrix Corporation
- Lenders in connection with debtor-in-possession (DIP) and exit loan facilities.

- Secured lenders in connection with foreclosure actions and in connection with credit-bidding for their collateral.
- Defendants in litigation matters in jurisdictions throughout the United States, including:
 - American Home Mortgage
 - Bernard L. Madoff Investment Securities LLC.
 - Champion Enterprises
 - Federation Employment and Guidance Service, Inc.
 - First Magnus Financial Corp.
 - HomeBanc Mortgage Corp.
 - The Great Atlantic & Pacific Tea Company, Inc.
- Professional services firms in bankruptcy retention and fee litigation matters in bankruptcy cases throughout the United States.
- The Official Committee of Unsecured Creditors in the Delphi Corporation *et al.* Chapter 11 cases.
- Servicers and master servicers in dozens of Chapter 7 and Chapter 11 cases involving defunct residential mortgage originators.

⊕ Education

College:

- University of California at Los Angeles (Bachelor of Arts in Business Economics and Minor in Accounting 1998)

Law School:

- University of Michigan Law School (JD 2001)

⊕ Prior Affiliations

- Vedder Price P.C.
- Latham & Watkins LLP
- Gibson, Dunn & Crutcher LLP

⊕ Memberships

Professional:

- American Bankruptcy Institute
- Association for Corporate Growth
- International Association of Privacy Professionals
- New York City Bar Association (Past Member of the Standing Committee on Bankruptcy and Corporate Reorganization until)
- New York State Bar Association
- Turnaround Management Association

⊕ Bar Admissions

- State of New York
- State of New Jersey
- U.S. District Courts for the Southern District of New York, Eastern District of New York and District of New Jersey
- U.S. Circuit Courts of Appeal for the Second and Third Circuits

Award Recognition

- Rising Stars - Super Lawyers: 2016
- NY Metro Super Lawyers: 2018

Case Studies

Sorry, there are no Case Studies related to this Attorney.

Publications

- [What Businesses Outside California Should Know About the California Consumer Privacy Act](#)
- [Distribution & Agency 2019 – United States](#)
- [The Proliferation of Biometric Data and Legislation to Regulate its Use](#)
- [Directors and Officers Beware: Your Company's Violations of Privacy Laws May Cost You Personally](#)
- [Turndown Service with that Hack: Marriott Hotels Announce Massive Data Breach](#)
- [Are Your Website and Privacy Policy GDPR Compliant?](#)
- [GoDaddy the latest to leave S3 Bucket Unsecured](#)
- [Data Privacy Alert: California Consumer Privacy Act of 2018 Just Enacted](#)
- [What U.S.- Based Investment Advisers Should Know](#)
- [What U.S.- Based Investment Advisers Should Know](#)
- [Retail Tenant Bankruptcies: A Shift in Favor of Landlords' Bids to Terminate Leases](#)
- [Data Security Issues for Staffing Firms After the Equifax Breach](#)
- [Global Ransomware Attack: Basic Security Measures Every Business Should Adopt](#)
- [Overview of Data Privacy and Cybersecurity Regulatory Landscape for Investment Advisers and Other Financial Services Companies](#)
- [NY Businesses Reported a Record Number of Data Breach Incidents in 2016](#)
- [Cybersecurity Risk Update – Hackers Take Over Bank via DNS](#)
- [Recent Cyber Attack On Law Firms Serves As A Wake-Up Call For Professional Services Firms](#)
- [What's New in the Revised New York State Proposed Cybersecurity Regulation?](#)
- [Actual-Intent Fraudulent Transfers and the Crime/Fraud Exception](#)
- [Proposed NYS DFS Cybersecurity Regulations to Significantly Impact FS Companies](#)
- [Cybersecurity and Staffing: Guarding Clients' and Job Candidates' Information](#)

Events

- [Bankruptcy Issues in the Cannabis Industry: Strategies Under State and Federal Law for Marijuana, CBD, and Hemp · 11.13.2019](#)
- [Introduction to EU General Data Protection Regulation: Planning, Implementation, and Compliance | Financial Poise · 10.22.2019](#)
- [Webcast Two Recent Developments in Bankruptcy Law: SCOTUS on Trademarks & the Small Business Reorganization Act of 2019 · 10.03.2019](#)
- [Cybersecurity: 20/20 Hindsight Not Good Enough in 2020 · 09.21.2019](#)
- [The Cyber Regulatory Landscape: How Will Your Business Be Impacted? · 06.13.2019](#)
- [Contesting Confirmation - Bankruptcy Battle Royal 2019 – Common Committee Controversies series · 05.21.2019](#)
- [Bad Debtor Owes Me Money! - Restructuring, Insolvency & Troubled Companies 2019 series · 05.14.2019](#)
- [NYSA - Webinar: Dealing with Clients in Financial Distress - Strategies for Getting Paid \(and Keeping Your Payments\) · 04.24.2019](#)
- [Opportunity Amidst Crisis – Restructuring, Insolvency & Troubled Companies 2019 series · 04.16.2019](#)
- [Help, My Business is in Trouble! – Restructuring, Insolvency & Troubled Companies 2019 series · 03.19.2019](#)
- [Cash Collateral and DIP Loan Contests – Financial Poise Webinar · 02.26.2019](#)
- [Dealing with Clients in Financial Distress - Strategies for Getting Paid \(and Keeping Your Payments\) · 01.23.2019](#)
- [Financial Poise™ - Data Breach Response: Before and After the Breach · 12.17.2018](#)
- [MyLawCLE - Hot Topics in Bankruptcy Law: Structured Dismissals, Safe Harbors, Out-of-Court Workouts and Marijuana · 11.13.2018](#)
- [Inside the Breach: The Impact of Cybersecurity on Your Business · 06.21.2018](#)
- [Cybersecurity: Ethical and Compliance Issues for International Law Firms and Corporate Counsel · 06.11.2018](#)
- [What You Need to Know Now About Data Privacy and Cybersecurity · 05.23.2018](#)

- [What In-House Counsel Need to Know Now About Data Privacy and Cybersecurity · 04.24.2018](#)
- [Recent Developments in Bankruptcy and Restructuring Law · 10.13.2017](#)
- [Data Privacy & Security 101 · 09.25.2017](#)
- [Proactive Measures to Eliminate Your Cyber Risks · 06.13.2017](#)
- [Bankruptcy Battle Royale- Common Litigation Scenarios- Anatomy of a Preference Action · 06.13.2017](#)
- [Bankruptcy Battle Royale- Common Litigation Scenarios- Contesting Financial Poise Webinars · 05.30.2017](#)
- [Data Security: Legal & Strategic Considerations for Financial Institutions, Asset Managers and Others · 05.23.2017](#)
- [Trust Indenture Act and Involuntary Restructurings: Impact of Marblegate and Caesars Bankruptcy Litigation · 04.25.2017](#)
- [Webinar: Creditor Claims Against Distressed Companies · 03.03.2017](#)
- [Webinar: Acquisition of Distressed Businesses and Assets · 02.28.2017](#)
- [Cybersecurity Presentation to the New York State Bar Association Securities Regulation Committee · 02.15.2017](#)
- [Webinar: Ethical Rules and Pitfalls: What Every Bankruptcy Professional Needs to Know · 02.07.2017](#)
- [How To Protect Your Information From Walking Out The Door: Cybersecurity, it Starts With the People · 01.18.2017](#)

© 2019 Tannenbaum Helpern Syracuse & Hirschtritt LLP
900 Third Avenue | New York, NY 10022 | 212.508.6700

Tannenbaum Helpern Syracuse & Hirschtritt LLP provides legal advice only to individuals or entities with which it has established an attorney-client relationship and such advice is based on the particular facts and circumstances of each matter. Contacting us through this site, or otherwise, will not establish an attorney-client relationship with us. Any e-mail or other communication sent to THSH or its lawyers through this site will not be treated as subject to the attorney-client privilege or as otherwise confidential and you should not include any confidential information in any such communication.