



Raymond T. Lyons

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A retired U.S. Bankruptcy Judge for the District of New Jersey, Ray joined Fox in July 2013. With more than a decade of judicial service, he brings a wealth of experience to the firm's national Financial Restructuring & Bankruptcy Department. Notably, Ray presided over Zais Investment Grade Limited VII, an involuntary Chapter 11 case against a Cayman Islands entity that issued and invested in collateralized debt obligations. He served as visiting bankruptcy judge in the U.S. Bankruptcy Court for the District of Delaware where he presided over the Chapter 11 case of Montgomery Ward and the Chapter 11 case of Federal Mogul filed by more than 130 multinational companies with parallel insolvency proceedings in England involving billions of dollars in asbestos claims.

Mediation

While on the bench, Ray earned a reputation for helping parties settle their disputes in his cases and for his colleagues in the U.S. Bankruptcy Court for the District of New Jersey. He completed the first bankruptcy mediation training offered by the American Bankruptcy Institute and St. John's University School of Law. He was an instructor in the inaugural training for mediators offered by the U.S. Bankruptcy Court for the District of New Jersey and received training in arbitration from the American Arbitration Association. Ray has been appointed to the Panel of Mediators for the Bankruptcy Courts in New Jersey, Delaware and the Western District of Pennsylvania, as well as the Southern and Eastern Districts of New York. He is on the Roster of Mediators and Arbitrators for the American Arbitration Association (AAA), the CPR Panel of Distinguished Neutrals and the Panel of Arbitrators and Mediators for Federal Arbitration, Inc. (FedArb).

With the approval of the Third Circuit Court of Appeals, Ray served as mediator for the U.S. Bankruptcy Court for the District of Delaware. Among his most well-known and significant mediations is the Chapter 11 case filed by bank holding company Washington Mutual, Inc. following the largest bank failure in history. The mediation, which was covered by major news outlets across the country, led to a bankruptcy exit plan valued at \$7 billion and spawned mediation with additional groups of claimants. Ray was lauded in the official court transcript for his dedication and commitment to achieving a resolution that benefitted all parties involved in the matter.

Cases Ray has mediated include:

- An adversary proceeding for trade secret and trademark infringement with damages estimated at \$500 million.
- Chapter 11 plan negotiations between debtors operating apartment complexes in several states and a \$475 million secured claim.



- A contested \$1.4 million fee application.
- A \$13 million claim by members of certified class of mortgage borrowers for alleged violations of Missouri's Second Mortgage Act.
- Plan negotiations between debtors with commercial properties in several states and a \$160 million secured creditor.
- An objection to a \$4.1 million claim by an asset manager.
- A \$3 million fraudulent conveyance action against a debtor's former executives.
- A \$500 million construction contract and mechanics lien action.
- A \$5 million fire and theft property damage insurance claim.
- A \$10 million avoidance action by a liquidating trustee against a major supplier.
- A legal malpractice claim against a debtor's attorney for failure to schedule judgment creditors.
- Designated mediator for more than 100 preference cases in a retail Chapter 11 case.
- Copyright infringement claim.
- Predatory lending suit.
- Plan negotiations for a law firm Chapter 11 case.
- A retail pharmacy Chapter 11.
- WARN Act claims in a bankruptcy case.

Expert Witness

Ray has been engaged as an expert witness in a variety of bankruptcy related matters. For example Ray has been asked to opine on:

- The settlement value of more than two dozen causes of action with potential damages in the tens of billions of dollars.
- Whether a debtors' attorney's advice was proper where the debtors faced criminal prosecution and an objection to discharge.
- The remedies available to a secured creditor following default under a confirmed Chapter 11 plan.
- The likelihood of success of an appeal to a United States Court of Appeals.
- The reasonableness of attorney's fees for a third party defendant in a declaratory judgment action in the United States District Court.

Before Fox Rothschild

Prior to his appointment to the bench in 1999, Ray spearheaded the bankruptcy department of a major New Jersey law firm, primarily representing secured lenders and other creditors in corporate Chapter 11 cases. During the economic downturn and banking crisis of the late 1980s and early 1990s, he represented the Resolution Trust Corporation (RTC) and the Federal Deposit Insurance Corporation (FDIC) in bankruptcy matters and commercial litigation.

Beyond Fox Rothschild

An active participant in bar activities, Ray is former chair of the New Jersey State Bar Association Pro Bono Services Committee. In 1999, he received the New Jersey State Bar Association's Legislative Services Award for his work in spearheading the passage of a law providing counsel to indigent children and parents in guardianship and parental rights proceedings.

In 1997, Ray was recognized by Legal Services of New Jersey with the Equal Justice Medal for his role as chair of the NJSBA Bankruptcy Law Section's Pro Bono Bankruptcy Committee.



Ray was also an adjunct professor at his alma mater, Seton Hall University School of Law, teaching courses on banking law and legal writing.

Professional Associations

- National Conference of Bankruptcy Judges
- American Bankruptcy Institute
 - Mediation Committee
- New Jersey State Bar Association
 - Bankruptcy Law Section
 - Dispute Resolution Section (Trustee 2014-17)
- Eastern District of Pennsylvania Bankruptcy Conference
- Justice Marie L. Garibaldi ADR Inn of Court (Trustee 2015-16)
- Turnaround Management Association, New Jersey Chapter

Honors & Awards

- Outstanding Bankruptcy Judge, Turnarounds & Workouts (2007)
- National Association of Chapter 13 Trustees, Hon. Ralph E. Kelley Award (2007)
- Legislative Services Award by the New Jersey State Bar Association (1999)
- Equal Justice Award from Legal Services of New Jersey (1997)

Practice Areas

- Financial Restructuring & Bankruptcy
- Alternative Dispute Resolution

Education

- New York University School of Law (LL.M., 1981)
 - in Taxation
- Seton Hall University School of Law (J.D., 1973)
- Lehigh University (B.A., 1970)
 - Mathematics

Publications

June 2016

Bankruptcy Mediation

American Bankruptcy Institute

April 2, 2015

Innovative Bankruptcy Mediation Program Goes Live: A Look at How This Presumptive Mediation Program is Working

New Jersey Law Journal



Speaking Engagements

Mediation and Secured Creditors

December 2, 2016

Hosted by: American Bankruptcy Institute, Winter Leadership Conference

Advanced Bankruptcy Training for Mediators

November 30, 2016

Hosted by: New Jersey Institute for Continuing Legal Education and U.S. Bankruptcy Court for the District of New Jersey

Strategies & Challenges for Building an ADR Practice

April 20, 2016

Hosted by: New Jersey Institute for Continuing Legal Education

Mediation & Alternative Dispute Resolution

April 8, 2016

Hosted by: New Jersey State Bar Association, Bankruptcy Law Section, Bench-Bar Conference

To Mediate or Not, That Is the Question

August 8, 2015

Hosted by: American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop

Treatment of Secured Creditors in a Chapter 11 Plan from Filing through Confirmation

May 1, 2015

Hosted by: New Jersey State Bar Association, Bankruptcy Law Section, Bench Bar Conference

Pro Bono Service on a Board of a Not for Profit in Crisis

October 8, 2014

Hosted by: American Bar Association, Business Law Section at the National Conference of Bankruptcy Judges

Bankruptcy Issues in Personal Injury Litigation and Matrimonial Cases

October 2, 2014

Hosted by: Fox Rothschild LLP

Mediation Panel

June 12, 2014

Hosted by: Turnaround Management Association, Mid-Atlantic Regional Symposium

Bankruptcy for Non-Bankruptcy Attorneys

March 6, 2014

Hosted by: Fox Rothschild LLP

Bankruptcy Training for Mediators

February 20, 2014

Hosted by: New Jersey Institute for Continuing Legal Education and U.S. Bankruptcy Court for the District of New Jersey



Mediation in Chapter 11 Cases

January 30, 2014

Hosted by: New York Institute of Credit and Association of Insolvency & Restructuring Advisors

Mediation

April 18, 2013

Hosted by: American Bankruptcy Institute Annual Spring Meeting

National Workshop for Bankruptcy Judges

January 1, 2012

Hosted by: Federal Judicial Center

Rule 2019 Issues

January 1, 2010

Hosted by: American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop

Anything But Bankruptcy Revisited: Non-Bankruptcy Alternatives

January 1, 2007

Hosted by: American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop

Getting Even: Who Sues Whom?

January 1, 2007

Hosted by: American Bankruptcy Institute New York City Bankruptcy Conference

The Swing of the Pendulum: Chapter 11 after BAPCPA

January 1, 2006

Hosted by: American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop

Mass Torts

January 1, 2005

Hosted by: American Bankruptcy Institute Mid-Atlantic Bankruptcy Workshop

News

December 8, 2014

Proposed U.S. Bankruptcy Rule Changes Spark Debate from Lenders

Reuters

August 8, 2013

New Jersey Judge Ray Lyons Leaves the Bench to Mediate

Dow Jones

August 5, 2013

On the Move

New Jersey Law Journal

August 4, 2013

Executive Moves

Sunday Star Ledger



Fox Rothschild LLP
ATTORNEYS AT LAW

July 11, 2013

Former Judge Raymond T. Lyons Joins Fox

July 11, 2013

Fox Rothschild Adds Retired Bankruptcy Judge to NJ Office

Law360

December 14, 2011

WaMu Shareholders Settle, Agree to Support \$7 Billion Plan

Bloomberg News