



# Daniel N. Gonzalez

Partner

**Commercial Litigation, Real Estate and Transactional Matters, Bankruptcy and Restructuring, Receivership and Assignments, Creditors' Rights**

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## About Daniel N. Gonzalez

Daniel N. Gonzalez, a partner with Meland Budwick, P.A., concentrates his practice on complex litigation, insolvency matters, financial restructuring and reorganization, creditors' rights, bankruptcy related litigation, bankruptcy trustee/fiduciary representation, and asset transactions in liquidation proceedings (representing both purchasers and sellers).

Dan frequently acts as outside general counsel to high net worth individuals with respect to both litigation and transactional matters.

Since 2016, Dan has been recognized as an "Up and Comer" in Chambers USA. Dan is commended for his pragmatic approach and analytical abilities. Chambers USA sources

describe Dan as “a strong lawyer,” who “has a lot of common sense,” “makes a lot of good decisions and is an effective negotiator.” As noted in Chambers USA, Dan enjoys a growing reputation for his practice in commercial restructuring as well as creditors’ rights and distressed M&A.

## **Education**

- University of Florida College of Law, J.D., 2002
- Book Award: Federal Courts
- Boston College, B.A., 1999
- Recipient: William Simon Scholarship

## **Membership**

- Member, Eleventh Judicial Circuit Grievance Committee “1”
- President, Bankruptcy Bar Association for the Southern District of Florida, 2012-2013
- Miami Chair, Bankruptcy Bar Association for the Southern District of Florida, Pro Bono Committee, 2008-2010
- Member, Cuban American Bar Association
- Co-Chair, University of Miami Bankruptcy Skills Workshop
- Member, Dade County Bar Association
- Member, Hispanic National Bar Association (HNBA)

## **Awards/Rankings**

- *Chambers and Partners USA*, “Up and Comer” in Bankruptcy/Restructuring, 2015-2017
- *Daily Business Review*, “40 Under 40” Rising Stars, 2014
- *South Florida Legal Guide*
- *Super Lawyers*
- *South Florida Legal Elite*
- Recipient of the 2008 Put Something Back Pro Bono Service Award for bankruptcy

## **Publications**

- Co-author: “*The New Bankruptcy Acts impact on Asset Protection Planning*,” National Business Institute, Inc., 2005
- Co-author and presenter: “*Enforcing Creditors’ Rights After the New Bankruptcy Law in Florida*,” Lorman Education Services, Inc., 2006

## **Bar Admissions**

- Florida
- Southern District of Florida
- Middle District of Florida

## **Languages**

- English
- Spanish

## **Clerkships/Internships**

- Clerk for the Honorable Gisela Cardonne-Ely, 11<sup>th</sup> Judicial Circuit in and for Miami-Dade County, Florida, 2000
- Summer Honors Program, Securities and Exchange Commission (Enforcement Division), 2001

## **Public Speaking**

- Moderator – View from the Bench Panel, 2013 University of Miami Bankruptcy Skills Workshop
- Moderator – View from the Bench Panel, 2013 Dade County Bar Association/Put Something Back Bankruptcy Seminar

## Representative Matters

Practice Area	Representative Matters
Bankruptcy	Represented Chapter 7 bankruptcy trustee of All Star Mortgage Financial. The representation included selling real property pursuant to Section 363 of the Bankruptcy Code, and prosecuting claims against third parties, including claims for the avoidance of transfers, professional malpractice, fraud and breach of fiduciary duty.
Bankruptcy	Represent numerous Chapter 7 bankruptcy trustees in corporate and individual Ch. 7 cases. Routinely advise trustees in the connection with the sale of estate assets pursuant to Section 363, prosecution of avoidance claims and prosecution of Section 727 actions.
Bankruptcy	Representation of a Chapter 7 bankruptcy trustee of a liquor store. This case required operating the business for a limited period of time while in Chapter 7, and the 363 sale of the liquor license owned by the debtor.
Bankruptcy	Representation of a leading international fruit company in the Chapter 7 bankruptcy case of an individual debtor.
Bankruptcy	Representation of a secured creditor in a Chapter 11 bankruptcy case filed in the Southern District of Florida concerning a tract of land located in Brooklyn, New York. MRB filed and prosecuted a motion to dismiss the Chapter 11 case, which ultimately led to the debtor dismissing its Chapter 11 case.
Bankruptcy	Representation of the Chapter 7 bankruptcy trustee in the Chapter 7 bankruptcy filing of a high profile Miami developer. After the filing of a complex lawsuit and the recordation of a lis pendens against numerous properties located in Miami-Dade and Broward counties, the Debtor waived his right to a Chapter 7 discharge and settled certain transfers with the bankruptcy estate for \$1.1 million.
Bankruptcy, Restructuring	In re Sundale and Kendall Hotel & Suites - Represented the debtors, who owned a large tract of real estate with an operating hotel, in their Chapter 11 proceedings. The debtors confirmed a Chapter 11 plan of reorganization.
Bankruptcy and Restructuring, Commercial Litigation, Financial Fraud	Representation of the Chapter 7 Trustee and Michael Budwick served as the receiver appointed by the United States District Court in a \$19 million Ponzi scheme case perpetrated by Thomas Abrams. Brought a variety of litigation claims and reached a multi-million dollar settlement of an aiding and abetting claim against Fidelity Federal Bank & Trust, N.A.

Commercial Litigation	Representation of the assignee, pursuant to Chapter 727 of the Florida Statutes, of a company in the business of distributing recording devices throughout Central and South America.
Commercial Litigation and Restructuring	Represented group of guarantors of a \$19.6 million credit facility collateralized by real estate, and negotiated a settlement that included a discount payment to release the guarantors and a release of the lender's mortgage lien on the real estate at issue.
Commercial Litigation	Representation of the principal of a large South Florida based company accused of breach of fiduciary duty and negligence by the company's creditors. Vision Development Group, LLC - representation of the developer of a large condominium conversion project and its principal member in connection with litigation and a workout with the senior secured lender, Corus Bank, and various mezzanine lenders.
Real Estate	Representation of developers in Sarasota, Florida in its sale of 100+ developed lots in a planned development community.
Real Estate	Representation of family run company in its acquisition of various parcels of land on the Miami River.
Real Estate, Commercial Litigation, Bankruptcy and Restructuring	Represented Hyperion Partners in connection with acquisition of loan encumbering the Onyx Condominium project, related litigation and bankruptcy to gain control of project, modification of condominium documents and end sale of balance of acquired condominium units.
Trial Practice	Represented Kenneth A. Welt, as the Chapter 7 bankruptcy trustee for the estate of Ali Reza Zargaran in a trial in the District Court for the Southern District of Florida. Successful avoided the transfer of Texas property to and deemed the property in Texas an asset of the Chapter 7 bankruptcy estate.
Commercial Litigation	Represented a leading real estate brokerage firm in its claims for malpractice, fraud, and breach of fiduciary duty against separate accounting firms and individual accountants. The matter resolved presuit for a confidential amount paid to our client.
Bankruptcy	Representation of a Chinese steel conglomerate in the bankruptcy case of the Plantation Fashion Mall. Successfully secured client's position as the largest creditor in the case, and obtained a settlement with the bankruptcy trustee ensuring it received over 90% of the funds distributed by the bankruptcy trustee. The amount at issue was in excess of \$100MM.