



SAMUEL J. CAPUANO

Associate

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Samuel J. Capuano is an associate on Berger Singerman's Business Reorganization Team in the Miami office. He focuses his practice in the areas of restructuring for companies and high net worth individuals, out-of-court workouts, the representation of bankruptcy trustees and court-appointed receivers, creditors' rights, and complex commercial litigation. Mr. Capuano has extensive experience representing debtors, secured and unsecured creditors, trustees, receivers, landlords, tenants, financial institutions, and equity and other interest holders in complex cases under Chapters 7, 11, and 15 of the Bankruptcy Code. Mr. Capuano also has significant litigation experience in bankruptcy court and in state and federal trial and appellate courts including in matters related to fraud, preferential and fraudulent transfers, debt recharacterization and subordination, Ponzi schemes, automatic stay violations, contempt, RICO, and director, officer, manager and member liability litigation.

Education

J.D., *cum laude*, University of Florida Frederic G. Levin College of Law
B.S. in Finance, University of Florida, Warrington College of Business

Bar Admissions

Florida

U.S. District and Bankruptcy Courts for the Southern District of Florida
U.S. District and Bankruptcy Courts for the Northern District of Florida
U.S. District and Bankruptcy Courts for the Middle District of Florida
U.S. Court of Appeals, Eleventh Circuit

Practice Teams

Business Reorganization

Practice Areas

Bankruptcy/Restructuring
Bankruptcy Litigation
Complex Commercial Litigation

Representative Matters

- Represented debtor, an ophthalmological surgical center and optometry store group, in Chapter 11 proceedings including in defeating a motion to dismiss at a multi-day trial and in related adversary litigation resulting in confirmed plan of reorganization.
- Represented debtor pharmaceutical development company in Chapter 11 proceedings resulting in confirmed plan of reorganization, the issuance of new stock to debtor-in-possession lenders, and the establishment of a litigation trust.
- Represented Chapter 7 trustee of commercial fishing company as lead trial and appellate counsel resulting in final judgment against principal later affirmed on appeal.
- Defended financial institution against Chapter 15 trustee's claims in RICO, money laundering and fraud litigation.
- Represented ownership group of restaurant franchisee in Chapter 11 proceedings and related fraud litigation.
- Represented restaurants, bars, retail clothing stores, wholesale fishing company, and dental practices in out-of-court workouts of secured and unsecured debts.

Awards & Honors

- *The Best Lawyers in America*®, "Ones to Watch" (2021)
- *Florida Super Lawyers* Rising Star, 2017-2020
- Book Award, Law and Policy in the Americas

Community Activities / Associations

- Board Director of the Bankruptcy Bar Association for the Southern District of Florida
- American Bankruptcy Institute
 - Business Reorganization Committee
- Dade County Bar Association
- American Bar Association

In the News

Thirty-Five Berger Singerman Attorneys Recognized in the 2021 Edition of Best Lawyers In America
August 20, 2020

Prior Affiliations

- Aaronson Schantz Bailey, P.A.
- Tabas, Freedman & Soloff, P.A.
- Intern for the Honorable William Hoeweler, United States District Court for the Southern District of Florida