



## Jeremy R. Fischer Attorney

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### Bio

Jeremy R. Fischer is the Leader of the firm's Bankruptcy & Restructuring Practice Group. He specializes in litigation and transactions involving distressed commercial matters, where he helps clients from the first sign of trouble through the most complex financial restructuring or Chapter 11 case. A Fellow in the American College of Bankruptcy and a member of the Board of Directors of the American Bankruptcy Institute, he has built a reputation for achieving exceptional results both in the courtroom and at the negotiating table.

Jeremy advises major constituencies in high stakes Chapter 11 cases, including financial institutions, bondholders, official and ad hoc creditors' committees, asset purchasers, trustees, DIP lenders, directors/officers, and debtors. He also represents parties in out-of-court debt restructurings, receiverships, and asset and loan sale transactions. He has particular expertise in the healthcare and long-term care sectors.

Jeremy is very involved in the legal community. He regularly represents indigent individuals in bankruptcy cases on a pro bono basis, and he has taught at the University of Maine School of Law. He also speaks regularly on bankruptcy topics and authored a treatise on bankruptcy practice/procedure.

Prior to joining Drummond Woodsum, Jeremy served three terms in the Maine Legislature and was the House Chairman of the Appropriations Committee. Since leaving office, he has worked extensively on public education and rural economic development issues. He was board chair for Jobs for Maine's Graduates, a non-profit that supports public school students at risk of dropping out to succeed in their education and careers; he advises the Governor and her cabinet on early childhood

### Practice Areas

Banking & Financial Services  
Bankruptcy, Restructuring, &  
Creditors' Rights  
Business & Corporate  
Litigation  
Bankruptcy & Debtor/Creditor  
Litigation

### Admissions

Maine  
Massachusetts  
New Hampshire  
Vermont  
U.S. District Court for the  
Eastern District of Michigan  
U.S. Bankruptcy Appellate Panel  
for the First Circuit  
U.S. District Court for the  
District of Maine  
U.S. District Court for the  
District of Massachusetts  
U.S. District Court for the  
District of New Hampshire  
U.S. District Court for the  
District of Vermont  
U.S. District Court for the  
Southern District of New York

issues, including the expansion of pre-K programs; and he was the board chair for the Loring Development Authority, an organization that promotes economic development and job creation in Maine's northernmost county.

In his free time, Jeremy enjoys spending active time outdoors with his wife and three sons.

## **Education**

University of Maine School of Law, J.D., *summa cum laude*

University of Michigan, B.A., *summa cum laude*

## **Recognition**

American College of Bankruptcy, Fellow

ABI Publication Award for writing and editing the ABI Quick Evidence Manual (2nd Edition)

Chambers & Partners, USA Guide, *Maine, Bankruptcy/Restructuring, Band 1*

Best Lawyers USA, Bankruptcy and Creditor Debtor Rights, Insolvency and Reorganization Law; Bankruptcy Litigation; Commercial Litigation

American Bankruptcy Institute, 40 Under 40

Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law Lawyer of the Year, Portland, ME (Awarded by Best Lawyers) 2023

## **Representative Clients & Matters**

***In re Lincoln Paper and Tissue (Maine):*** Jeremy represented the Official Committee of Unsecured Creditors in the Chapter 11 bankruptcy of this paper company. His team successfully litigated or settled claims against directors, officers, and owners of the debtor company for breaches of fiduciary duty and fraudulent transfers, recovering millions for unsecured creditors.

***In re Sanctuary Care (New Hampshire):*** Jeremy represented a financial institution in facilitating a distressed sale of a nursing home through a Chapter 11 bankruptcy. He also negotiated and documented a debtor in possession (DIP) loan to fund the sale process, which was repaid in full.

***In re Montreal Maine & Atlantic Railway Ltd. (Maine):*** After this railroad experienced a catastrophic explosion that killed 47 people, it filed for bankruptcy in Maine and Quebec. Jeremy represented the

purchaser of the assets out of bankruptcy, including shielding the purchaser from successor liability related to the explosion and negotiating a historic environmental settlement with the State of Maine.

***In re IDL Development (Massachusetts):*** Jeremy represented the owner of intellectual property that was stolen by a competitor who then filed for bankruptcy to try to shield the IP from recovery. He led a team of bankruptcy and litigation experts that protected the client's interests in the IP, preserving claims against both the competitor and the purchaser.

***In re Calais Regional Hospital (Maine):*** Jeremy represented the Official Committee of Unsecured Creditors in the Chapter 11 case of a rural critical access hospital. He successfully negotiated and confirmed a Chapter 11 plan with the senior secured lenders that sold the hospital to a strategic partner, which preserved a rural healthcare provider, saved jobs, and maximized the recovery for all creditors.

## **Publications**

*ABI Quick Evidence Manual (2nd Edition)* (2018)

*Freer and Clearer Sales: Using § 363(f) to Strip Non-Traditional Interests from Distressed Assets*, Am. Bankr. Inst. J. 16-17, 64 (Sep. 2017)

*Protecting Present Value: Do Extended Plan Payments Require Periodic Adjustments to the Till Cramdown Interest Rate?*, Am. Bankr. Inst. J. 16-17 (Jul. 2017)

*Bankers Beware: Post-Discharge Guaranty Might be an Invalid Reaffirmation Agreement that Violates Discharge Injunction*, Am. Bankr. Inst. J. 38-39, 70 (May 2017)

*Double-Dipping in Delaware: Friedman's Quantum Foods and Beyond*, Am. Bankr. Inst. J. 34-35, 77 (Oct. 2016)

*The Missing Page of the Playbook: "Blocking Directors" Can't Escape Fiduciary Duty*, Am. Bankr. Inst. J. 12, 58-59 (Aug. 2016)

*Involuntary Judgment Creditors Beware: 1<sup>st</sup> Cir. Peeks Behind State Court Judgment for Bona Fide Dispute*, Am. Bankr. Inst. J. 30, 61-62 (May 2016)

*GTAT: Noninsider Retention Plans Subject to Heightened Scrutiny*, Am. Bankr. Inst. J. 24-25 (Oct. 2015)

*"Bankruptcy Remote" Does not Mean "Bankruptcy Proof,"* Am. Bar Ass'n – Bankr. & Insolvency Litig. Comm. (Fall 2014)

*A Bankruptcy Submission Hold*, Am. Bar Ass'n – Bankr. & Insolvency Litig. Comm. (Spring 2011)

*Exercise the Power, Play by the Rules: Why Popular Exercise of Legislative Power in Maine Should be Constrained by Legislative Rules*  
, 61 Me. L. Rev. 504-520 (2009)

## **Memberships**

American College of Bankruptcy, Fellow

American Bankruptcy Institute, *Board of Directors*

Turnaround Management Association

Maine State Bar Association

## **Community/Public Service**

Maine Legislature  
*Member, 2002-2008 (Chair, Appropriations 2006-2008)*

American Bankruptcy Institute  
*Board of Directors; Co-Chair of the Litigation Committee; Northeast Advisory Committee*

Jobs for Maine's Graduates  
*Chair of Board of Directors*

Loring Development Authority  
*Chair of Board of Directors*

Governor's Early Childhood Advisory Committee  
*Member*

Educate Maine's Early Childhood Advisory Committee  
*Member*

Yarmouth Education Foundation  
*Board of Directors*

University of Maine School of Law  
*Board of Visitors*

Yarmouth School Committee  
*Member*