



## *Isley M. Gostin*

### SPECIAL COUNSEL

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Isley M. Gostin has experience representing clients in all stages of complex litigation and bankruptcy proceedings, including discovery, motions practice, mediation, trial and appeals. Since joining the firm in 2011, Ms. Gostin's significant case work includes:

- Defense of Fortune 100 company in two multi-billion dollar fraudulent conveyance litigations, including one two-week trial resulting in complete defense victory
- Representation of Fortune 100 company as a petitioning creditor in an involuntary bankruptcy proceeding, including at contested confirmation and other evidentiary hearings
- Defense of Fortune 100 company in fraud suit
- Representation of consumer debt servicer in investigation by, and litigation with, the United States Trustee Program
- Representation of financial institution in consumer bankruptcy litigation, including Supreme Court victory in *Bank of America, N.A. v. Caulkett*
- Representation of bondholders in litigation over make-whole claims, including at trial and in successful Third Circuit appeal
- Defense of multiple clients in derivatives litigation related to the Lehman bankruptcy
- Representation of Official Committee of Unsecured Creditors in bankruptcy proceeding involving millions of dollars of unsecured claims

Ms. Gostin has also represented clients in a wide-range of pro bono matters, including representing a criminal defendant sentenced to life without the possibility of parole in a multi-day trial seeking post-conviction relief, representing judgment creditors in bankruptcy proceedings, advising the board of directors of a nonprofit organization in financial distress on governance issues, and representing amici in the Supreme Court and Courts of Appeals on constitutional and bankruptcy law issues.

Prior to joining the firm, Ms. Gostin was a law clerk for the Honorable Robert E. Gerber of the US Bankruptcy Court for the Southern District of New York.

## Publications

- "The Admission of Hearsay Testimony under the Doctrine of Forfeiture-by-Wrongdoing in Domestic Violence Cases: Advice for Prosecutors and Courts," *Criminal Law Brief*, Vol. VI, Issue 2, 9-19
- "Insolvency at Its Limits: What Management and Creditors of Insolvent LLCs and LPs Should Know About Fiduciary Duty Waivers and Standing, Inside and Outside of Bankruptcy," *Pratt's Journal of Bankruptcy Law*, Vol. 13, No. 6, p.282 (Sept. 2017)
- "All or Nothing: Delaware Bankruptcy Court Decision in Physiotherapy Holdings Addresses Contract "Integration" for Purposes of Assumption Under Section 365(a)," *Pratt's Journal of Bankruptcy Law*, Vol. 10, No. 4, p.356 (June 2014)

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## Solutions

Bankruptcy and Financial  
Restructuring

Bankruptcy Litigation,  
Regulation and Policy

Litigation

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## Recognition

- Named to the American Bankruptcy Institute's 2020 40 Under 40 Emerging Leaders in Insolvency Practice program
- Named a 2017 Emerging Leader and recognized for her notable accomplishments in business and in service to the community by *The M&A Advisor*

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## Credentials

### EDUCATION

JD, Harvard Law School, 2010

*cum laude*

*Executive Online and  
Submissions Editor, Harvard  
Law and Policy Review*

BA, Social Studies, Harvard  
College, 2006

*cum laude with high honors*

### ADMISSIONS

District of Columbia

New York

### CLERKSHIPS

The Hon. Robert E. Gerber, US  
Bankruptcy Court for the  
Southern District of New York,  
2010 - 2011