

BANKRUPTCY AND CREDITORS' RIGHTS

Bankruptcy and Creditors' Rights Attorneys Providing Clients Strategic Counsel

Most clients want to avoid expensive litigation.

However, some disputes simply cannot be settled amicably. This is particularly so when the dispute is an "all or nothing" proposition (such as an action to "reform" a defective deed, or an action to foreclose a mortgage) where the only possible end result is that the defendant will lose an interest in real property.

Kaplin Stewart views litigation as a means to an end, and not as an end in itself. We approach client problems from a practical business perspective. Our goal is to help clients avoid expensive litigation, but when that is not possible, we vigorously advocate our clients' interests, both in court and out. We strive to reach the heart of each dispute in a prompt and cost effective manner. We are experienced in federal and state trial practice, arbitration and other alternative dispute resolution mechanisms, and have represented individuals, publicly owned and privately owned businesses in Pennsylvania, New Jersey and elsewhere in a wide range of commercial disputes.

For obvious reasons, creditors tend to be some of the most frequent customers of the court system. When an obligor fails (or refuses) to pay back a mortgage loan, only through the courts can the lender foreclose its mortgage and obtain title to the collateral property.

In the absence of cooperation, even the most obvious error in a document entered into the public records can only be corrected through litigation. Title underwriters are frequently called upon by their insureds to correct defects in the documents evidencing their interests in land, and – if the borrower refuses to cooperate – then the title underwriter must retain counsel to bring an appropriate legal action against the borrower.

Because the majority of title defects are discovered only after a mortgage loan goes into default, borrowers are frequently (and perhaps understandably) unwilling to assist in the process if correction of the error will soon be followed by the commencement of foreclosure proceedings.

Our lawyers have extensive experience in title corrective litigation, and we represent many of the title insurance underwriters licensed to do business in Pennsylvania and New Jersey. When quick and decisive action is required, we seek injunctive relief for our clients in state or federal court.

Our creditors' rights clients include some of the largest banks, title insurers, mortgage lenders, commercial landlords and contractors in Pennsylvania and New Jersey, along with locally-owned and operated businesses throughout both states. In every matter that we handle, our first priority is to identify a course of action that is likely to achieve the client's desired outcome in a reasonable period of time, and to then execute that strategy in an intelligent and cost-effective manner.

Our creditors' rights lawyers are highly regarded in the area legal community, and strive to maintain cordial professional relationships with opposing counsel even in the most fiercely contested cases. We believe that a negotiated settlement of a dispute almost consistently gives both parties more satisfaction faster than does litigating the dispute to the bitter (and expensive) end.

Contact a Bankruptcy and Creditors' Rights Attorney Today

Learn how our attorneys can help you advance your business objectives. We encourage you to schedule a consultation today. We service businesses and other entities with offices in Philadelphia and Blue Bell, Pennsylvania as well as Cherry Hill, New Jersey. Contact us online or by phone at 610-260-6000 today to arrange a consultation.

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