



## Theodore D.C. Young

### PARTNER

Ted is a partner in the Litigation Department of Cades Schutte, and he is the chair of the firm's Bankruptcy & Creditors' Rights Practice Group.

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## Overview

Ted is a partner in the Litigation Department of Cades Schutte, and he is the chair of the firm's Bankruptcy & Creditors' Rights Practice Group.

His practice focuses on bankruptcy and creditors' rights, commercial litigation, real estate litigation, and securities litigation. He also has significant experience in the representation of bankruptcy trustees and state court receivers. Before entering private practice, Ted was an attorney with the Division of Enforcement of the United States Securities & Exchange Commission.

Ted served on the board of the Hawai'i Bankruptcy Bar Association from 2013 to 2014 and he served as its President in 2014. He previously served as Director of the Bankruptcy Law Section of the Hawaii State Bar Association from 2001 to 2002, from 2006 to 2007, and as its vice-president for the year 2002. He is also an active member of the American Bankruptcy Institute.

Since 2007, Ted has been named by *Chambers & Partners* as one of America's leading lawyers in the area of Bankruptcy/Restructuring and he was named 2022 Lawyer of the Year in Litigation – Bankruptcy, Honolulu by *Best Lawyers*®. He is also an active charter member of the Rotary Club of Honolulu Pau Hana and served as a member of its board from 2008 to 2013. Ted is also an active member of the firm's Recruiting Committee.

## Practices & Industries

**Agriculture & Food Distribution**

**Bankruptcy & Creditors' Rights**

**Banks & Financial Institutions**

**Coronavirus Response**

**Corporate & Business**

**Finance**

**Hospitality & Retail**

**Insurance Coverage & Defense**

**Litigation**

- Alternative Dispute Resolution
- Commercial Disputes

**Real Estate**

- Real Estate Disputes

**Technology**

## Noteworthy

## Experience

- Served as local debtor's counsel in the successful Chapter 11 reorganization of Hawai'i's major telecommunications provider
- Represented the interests of secured lenders and banks in numerous Chapter 7 and 11 bankruptcy proceedings
- Served as counsel to the Chapter 11 Trustee in a real estate reorganization
- Lead counsel to the Bankruptcy Trustee in the investigation and prosecution of fraudulent

transfer claims in Chapter 7 proceedings

- Represented Hawai'i's insurance commissioner in the bankruptcy case filed by one of Hawai'i's largest local airlines
- Lead counsel for the largest secured creditor in a complicated Chapter 7 bankruptcy case involving one of the State's largest developers. Obtained a judgment in excess of \$40 million
- Successfully represented the interests of shopping center developer in complex Chapter 11 bankruptcy proceedings of one of the country's largest retailers of electronics and related consumer goods
- Served as counsel to secured lenders in a variety of contested matter and adversary proceedings in Chapter 7, 11, and 13 bankruptcy cases, including relief from stay proceedings and claims litigation
- Represented defendants in fraudulent transfer proceedings brought in the Bankruptcy Court
- Served as local debtor's counsel for a major airline in a Chapter 11 case
- Represented the credit card processor/bank in Chapter 11 case filed by a Hawai'i hotel.
- Served as counsel to a number of commercial landlords with regard to lease issues arising in Chapter 11 and Chapter 7 proceedings
- Successfully represented a national student loan guarantor in a number of adversary proceedings involving debtors' attempts to discharge their student loans
- Successfully represented secured lenders in complex commercial foreclosures involving a golf course property on the island of Kaua'i, a residential and commercial development of over 1,000 acres on the island of Hawai'i, and a luxury shopping center in Honolulu, on the island of O'ahu
- Successfully defended lenders and financial institutions in a number of lender liability actions arising out of residential loans and mortgages in the Hawai'i state and federal courts
- Represented Hawai'i State Court Receiver in several matters relating to the Hawai'i partnerships, corporations, and LLCs, with a number of properties located in Hawai'i and California
- Represented one of the country's largest securities brokerage firms in a number of arbitration proceedings before The Financial Industry Regulatory Authority ("FINRA," which was formerly the National Association of Securities Dealers)
- Lead counsel in successful representation of one of the world's leading financial management and advisory companies in litigation to enforce employee non-competition agreements in the United States District Court for the District of Hawai'i

## Awards

- *Best Lawyers*® Lawyer of the Year, Litigation – Bankruptcy, Honolulu, 2022
- Listed in *Best Lawyers*®, since 2019
- Listed in *Chambers & Partners*, USA Guide, since 2007
- Listed in *Super Lawyers*®, since 2017

## Credentials

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### Education

- J.D. (1984), University of San Francisco
- B.A. (1981), Government, University of San Francisco, *cum laude*

### Admissions

- Hawai'i State Bar (1992)
- State Bar of California (1985) (inactive)
- United States Court for the District of Hawai'i
- United States District Court for the Northern District of California
- United States Court of Appeals for the Ninth Circuit

### Membership

- Hawaii State Bar Association (Bankruptcy Law Section: Director: 2001-2002, 2006-2007; Vice President: 2002)
- Hawai'i Bankruptcy Bar Association, board of directors member, 2012 – 2014, President, 2014
- State Bar of California (inactive)
- American Bar Association
- American Bankruptcy Institute

### Publications

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- "Updates from Cades Schutte's Coronavirus Response Team," *ke kumu* (Spring/Summer 2021) (Co-Author)