

# Christopher D. Hughes

Partner | Sacramento

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Christopher Hughes is a litigator with extensive experience defending or pursuing fraudulent transfers and preferential payments. In addition, he counsels clients on numerous claims, including securities fraud, embezzlement, Ponzi schemes, contract disputes and challenges to corporate formations and retirement plans. His past cases have involved businesses in the hospitality, entertainment, healthcare, construction, agriculture, telecommunications and technology industries.

Chris' current practice focuses on representing bankruptcy trustees and creditors in a wide range of bankruptcy and commercial litigation matters. His experience includes objections to claims, assumption or rejection of executory contracts and leases, objections to exemptions and denials of discharge. He also addresses objections to the dischargeability of debts, lien priority disputes and relief from the automatic stay. He has handled numerous cases before the bankruptcy court, obtaining favorable settlements or, when necessary, favorable rulings upon the conclusion of litigation.

Prior to joining Nossaman, Chris practiced bankruptcy litigation at a boutique law firm in the Sacramento area.

## EXPERIENCE

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***In re: Dunmore Homes, Inc.*** – Represented liquidating trustee through final liquidation of the assets of a large residential construction company after confirmation of the Chapter 11 plan. Chris filed objections to more than 150 claims, helping to reduce the total amount of claims from hundreds of millions of dollars to less than \$100 million, and ensuring a larger pro rata distribution to creditors with allowed claims. He also provided litigation and non-litigation services to Chapter 7 Trustee through the wind-down of the company's successor-in-interest in another bankruptcy case, *In re: DHI Development, Inc.*

***In re: Vincent Thakur Singh, et al.*** – Represented Chapter 7 Trustee in the case of a Ponzi scheme perpetrator who was convicted and sentenced to approximately 15 years. Chris pursued and collected millions of dollars in fraudulent transfers paid to investors of the Ponzi scheme. He provided general counsel services related to the sale of significant assets including real properties and the rights to a movie made in New Zealand.

***In re: Ajava Systems, Inc.*** – On behalf of petitioning creditors, successfully obtained an order for relief against a food manufacturing plant that was generating more than \$20 million in annual sales prior to the involuntary bankruptcy filing.

***In re: TSAR*** – Represented Chapter 7 Trustee through wind-down of a donation based non-profit company that provided grants to families with children who have mental disabilities. Chris collected hundreds of thousands of dollars in annuities and charitable bequests for the Estate, and he investigated potential claims against former

directors for allegations related to misappropriated funds. He also objected to a \$4.2 million claim of a former employee alleging racial discrimination and obtained a settlement that did not involve Estate funds.

**In re: Connect 2 Wireless, Inc.** – Provided general counsel services to Chapter 7 Trustee through the wind-down of a cellular tower construction company and collected several hundred thousand dollars for the Estate after pursuing claims against a dozen global telecommunication companies.

**In re: Beebe Diversified, L.P.** – As counsel for the unsecured creditor's committee, successfully petitioned the court for conversion of a Chapter 11 case to a Chapter 7 case, so the Debtor's assets could be liquidated for the benefit of unsecured creditors.

**In re: Imperial Pools, Inc., dba Aquarius Pools, Inc.** – On behalf of a Chapter 7 Trustee, pursued actions against owners of a pool company who allegedly failed to properly supervise embezzling managers and obtained a half million-dollar settlement. Chris pursued fraudulent transfer actions to collect money improperly paid out by the Debtor to various companies to fund the managers' lifestyle. He also represented the Chapter 7 Trustee as creditor in non-dischargeability action for claims against the managers who embezzled nearly \$1 million from the Debtor. Chris collaborated with the District Attorney through the restitution hearing and obtained a stipulated non-dischargeable judgment against the managers.

**In re: Peterson and Erb, Inc. dba Comptech** – After an involuntary Chapter 7 petition was filed by a disgruntled former CEO, represented the Chapter 7 Trustee in the wind-down of a company that built race car engines. Chris successfully pursued an action for fraud against the attorneys who filed the involuntary petition. He brought an action against the former CEO based on allegations he caused the demise of the company, resulting in a global settlement among all of the largest creditors.

**In re: Valerie Sue Vanhorn and Danny Paul Vanhorn** – Represented a Chapter 7 Trustee in the sale of a 12,000-acre ranch and helped to negotiate the settlement of several multi-million dollar claims asserted by creditors, including the USDA and an overly aggressive creditor, which resulted in all creditors being paid in full on their allowed claims and a surplus for the bankruptcy Estate.

**In re: James A. Tillman** – Obtained more than \$700,000 in stipulated non-dischargeable judgments on behalf of several parishioners who alleged they were fraudulently convinced by their pastor to invest in a real estate scheme.

## INSIGHTS

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### SPEAKING ENGAGEMENTS

Panelist, "Cryptocurrency and Digital Payments," Northern California 18th Annual Bankruptcy Conference, Sacramento, CA, 03.07.2019

Panelist, "Cybersecurity: What Every Bankruptcy Practitioner Needs to Know," Northern California 17th Annual Bankruptcy Conference, Sacramento, CA, 02.23.2018

Speaker, "Commercial Leases and 11 USC §365: What does Amazon have to do with it?," Sacramento County Bar Association Bankruptcy & Commercial Law Section August Meeting, Sacramento, CA, 08.16.2017

Panelist, "Adversary Proceeding Boot Camp," Sacramento Valley Bankruptcy Forum, Sacramento, CA, 05.12.2017

Panelist, "Evidence & Discovery: Navigating the New Rules," Northern California 15th Annual Bankruptcy Conference, Sacramento, CA, 02.05.2016

Panelist, "Practical Experiences in Negotiations," University of California Davis School of Law, 2014-2016

Panelist, "Depositions 101/102: What to Do and How to Do It," Northern California 13th Annual Bankruptcy Conference, Sacramento, CA, 02.07.2014

Speaker, "Monthly Presentations to Debtors Before Reaffirmation Hearings," U.S. Bankruptcy Court for the Eastern District of California, 2010-Present

## PUBLICATIONS

Author, "Bill to Increase Homestead Exemption Heads to Governor's Desk," *California Lawyers Association*, 09.09.2020

Contributor, "CARES Act – Summary of Insolvency-Related Provisions," *California Lawyers Association Business Law Blog*, 04.17.2020

Author, "Objections to Exemptions After *Law v. Siegel*," *American Bankruptcy Trustee Journal*, Fall 2017

Author, "Creditors' Handbook," *U.S. Bankruptcy Court for the Eastern District of California Website*, 2010

## HONORS & RECOGNITIONS

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Selected to the Northern California Rising Stars list - 2015-2018

## COMMUNITY & PROFESSIONAL

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Member, Turnaround Management Association

Member, Insolvency Law Committee, Business Law Section of California Lawyers Association (Current Chair of Legislative Subcommittee)

Member, Sacramento County Bar Association, Commercial Law & Bankruptcy (Former Chair: 2014)

Member, National Association of Bankruptcy Trustees (Current articles editor for *American Bankruptcy Trustee Journal*)

Member, Sacramento Valley Bankruptcy Forum

Member, American Bankruptcy Institute

Member, Attorney Advisory Committee, U.S. Bankruptcy Court, Eastern District of California

Member, U.C. Davis, School of Law Young Alumni Association, Sacramento Chair/Founder

## PRACTICES

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Bankruptcy

Litigation

Commercial Litigation

Corporate

Corporate Fraud & Investigations

Trial Practice

## EDUCATION

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University of California, Davis School of Law, J.D., 2007

University of California, Davis, B.A., Davis, 2001

## ADMISSIONS

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California

U. S. Bankruptcy Court, Central District of California

U.S. Bankruptcy Court, Eastern District of California

U.S. Bankruptcy Court, Northern District of California

U.S. District Court, Central District of California

U.S. District Court, Eastern District of California

U.S. District Court, Northern District of California