



Robert E. Kaelin

Partner

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MURTHA
CULLINA

Education:

Duke University School of Law (J.D., 1992)

Miami University (B.A., 1988)

Description:

Mr. Kaelin represents clients in the areas of commercial litigation and bankruptcy.

Mr. Kaelin's commercial litigation practice centers on collection work, such as foreclosures, replevin actions and actions pursuant to the Connecticut Prejudgment Remedy Statute, and business disputes, contract actions, franchise agreement claims, Uniform Commercial Code actions and claims for tortious interference with business. Mr. Kaelin's litigation practice includes work in both state and federal court. He has tried bench and jury trials in both federal and state court, and has represented clients in arbitration and mediation.

Mr. Kaelin also handles various landlord/tenant law matters, representing commercial landlords and tenant. Mr. Kaelin regularly appears in the Housing Courts on commercial eviction matters and landlord collection matters. He has also handled such other matters as enforcement of exclusive use provisions and CAM audit claims. He has written and lectured on Connecticut's Summary Process Eviction Statute.

Mr. Kaelin's bankruptcy practice includes representing Creditors Committees in chapter 11 proceedings in Connecticut as well as creditors in chapter 7 or 11 proceedings around the country. He has assisted business debtors in several complex chapter 11 business reorganizations and has been special counsel to the chapter 7 and chapter 11 trustees in various matters. Mr. Kaelin regularly represents secured creditors in chapter 7, 11 and 13 cases. He also regularly represents commercial landlords in bankruptcy proceedings. Mr. Kaelin has also represented plaintiffs and defendants in bankruptcy avoidance actions as well as in dischargeability actions.

- Representing the debtor SIGG Switzerland USA in its Chapter 11 case pending in Connecticut.
- Counsel to the Official Committee of Unsecured Creditors in the Gold Hill Mining and Waterworks Chapter 11 cases in Connecticut.
- Representing international corporation and several employees in breach of contract/fraud action in the Southern District of New York.
- Representing business partner in closely held business dispute.
- Representing senior secured banks in "Single Asset Real Estate" Chapter 11 cases in the U.S. Bankruptcy Court for the District of Connecticut and in the Southern District of New York.
- Serving as lead counsel for the plaintiff in a federal court action seeking to set aside and recover over \$28 million in fraudulently transferred assets (and enforcing a \$3.275 billion dollar federal criminal restitution order)
- Representing national restaurant chain on franchise matters, including, but not limited to, terminations, work-outs, franchisee bankruptcies and litigation.
- Representing developers and real estate owners on commercial eviction and collection matters, as well as CAM dispute litigation.
- Representing several clients in pursuing the enforcement of foreign judgments here in Connecticut.
- Prosecuting and defending several non-dischargeability and preference actions in the U.S. Bankruptcy Court for the District of Connecticut.

Speaking Engagements:

- February 2012 - Faculty Speaker at the 26th Annual Norton Bankruptcy Litigation Institute on (i) "Dischargeability Issues" and (ii) "Recent Developments in Chapter 7 Cases"
- October 2011 - International Council of Shopping Centers Annual Law Conference - Round Table Speaker on "Common Mistakes Landlords Make When Evicting Tenants"
- February 2011 - Faculty Speaker at the 25th Annual Norton Bankruptcy Litigation Institute on (i) "Dischargeability Issues" and (ii) "Recent Developments in Chapter 7 Cases"
- February 2010 - Faculty Speaker at the 24th Annual Norton Bankruptcy Litigation Institute on (i) "Ponzi Scheme Litigation Issues" and (ii) "Recent Developments in Chapter 7 Cases"
- March 2010 - Moderator and Speaker on "Advanced Fraudulent Transfer Law" for CBA Seminar
- February 2009 - Faculty Speaker at the 23rd Annual Norton Bankruptcy Litigation Institute on (i) Allowance of Administrative Claims and (ii) current issues on Exemptions and Dischargeability
- November 2008 - Speaker at a Long-Term Care seminar on "Thinking About the Unthinkable...Bankruptcy, Receiverships, Facility Closings - Threats and Opportunities"
- July 2008 - Moderator and speaker at the American Bankruptcy Institute Northeast Conference on "Privileges, Exceptions and Civil and Criminal Liability."
- February 2008 - Faculty speaker at the 22nd Annual Norton Bankruptcy Litigation Institute on (i) In pari delicto and other litigation defenses and (ii) Successive filings.

Practices & Industries:

- Bankruptcy & Creditors' Rights
- Bankruptcy Litigation
- Business Litigation
- Distributor, Dealer, Franchise Group
- Litigation
- Municipal Law
- Retail and Hospitality

Bar & Court Admissions:

- Connecticut
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court, District of Vermont
- U.S. District Court, Southern District of New York
- U.S. District Court, District of Connecticut

Professional Associations & Memberships:

- Connecticut Bar Association, Litigation Section
- Connecticut Bar Association, Commercial Law and Bankruptcy Section (Executive Committee Member and former Chair)
- American Bar Association, Litigation Section (Member, Bankruptcy and Insolvency Litigation Committee)
- American Bar Association, Business Law Section (Member, Avoiding Powers Subcommittee)
- American Bankruptcy Institute (Northeast Bankruptcy Conference Advisory Board Member)
- Contributing Editor, Norton Bankruptcy Law and Practice, 3d (Property of the Estate)
- Hartford County Bar Association (Director, 2007-)
- Fairfield County Bar Association (Bankruptcy Committee)
- International Council of Shopping Centers
- Oliver Ellsworth Inn of Court

Community Activities & Affiliations:

- Glastonbury Republican Town Committee

- Minnechaug Swim & Tennis Club (Past President)
- Ruby Slipper Cancer Foundation for Children (Board Member)