

PARTNER

James M. Liston

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PRACTICE AREAS

Banking & Commercial Finance

Asset-Based Loans

Commercial & Industrial Lending

Bankruptcy & Creditors Rights

Commercial Mortgage Foreclosures

Restructuring & Workout

Commercial Real Estate

Leasing

Litigation & Dispute Resolution

Banking & Lender Liability Litigation

Business Litigation

Real Estate Litigation

OVERVIEW

James M. Liston primarily represents creditors in helping them obtain payment in workouts and debt restructurings, and in state court and federal bankruptcy court proceedings where they are competing against other creditors for limited assets.

Jim also represents bankruptcy trustees and creditors' committees in recovering assets that should have been available to pay creditors but which were transferred during or before bankruptcy. His clients include banks, hedge funds, leasing and finance companies, commercial landlords, businesses, bankruptcy fiduciaries, and government entities seeking to recover sums owed to them. Jim has also served as a state court receiver and represented creditors in receiverships. He has represented clients in state and federal courts throughout New England and in bankruptcy courts throughout the United States.

EXPERIENCE

With forty years of experience, Jim is expert in finding ways for his clients to recover on their claims when they are competing against other creditors for limited assets of a borrower/obligor. He is also expert in advising his clients on avoiding missteps that will delay their recovery and/or result in the clients incurring liability in the claim recovery process.

Important and Recent Decisions

- In re Mi-Lor Corp., 348 F.3d 294 (1st Cir. 2003)
- Lassman v. Tosi, 383 B.R. 1 (Bankr. D. Mass. 2008)
- In re Peirce, 483 B.R. 368 (Bankr. D. Mass. 2012)
- In re Old Colony, LLC, 476 B.R. 1 (Bankr. D. Mass. 2012)

EDUCATION

J.D., Boston College Law School, 1981

B.A., *magna cum laude*, Boston College, 1978

ADMISSIONS

Massachusetts

U.S. Court of Appeals for
the First Circuit

U.S. Court of Appeals for
the Fourth Circuit

U.S. District Court, District
of Massachusetts

- Lassman v. Spalt, 593 B.R. 69 (Bankr. D. Mass. 2018)
- Canaimex, Inc. v. Nickless, 2019 WL 7165930 (B.A.P. 1st Cir. 2019)
- Butler v. Bateman, 397 F.Supp.3d 113 (D. Mass. 2019)

Jim has written numerous articles and lectured extensively on bankruptcy, commercial fraud, foreclosure and creditors' rights issues

- Law clerk to Thomas W. Lawless, Bankruptcy Judge for the United States Bankruptcy Court for the District of Massachusetts (1981-1982)

AFFILIATIONS

Member of the
Massachusetts Bar
Association

Member of the American
Bankruptcy Institute

Advisory Director and
former President of the
Reading Scholarship
Foundation

Director of Reading
Cooperative Bank

HONORS

- Massachusetts "Super Lawyer" for twenty consecutive years between 2004 and 2023.