



Justin Ristau

Partner & Creditors' Rights/Bankruptcy Chair



Justin Ristau is a partner and chair of Bricker & Eckler's Creditors' Rights, Restructuring & Bankruptcy group. Justin is a creditors' rights litigator, who focuses on efficiently pursuing a broad spectrum of default remedies to accomplish the unique goals of his clients. He represents lenders on commercial loan defaults, including commercial foreclosure, replevin and state-court receiverships. Justin also represents clients in cases involving bankruptcy, bankruptcy litigation and reorganization, usually on behalf of secured and unsecured creditors in bankruptcy cases or adversary proceedings involving preference and fraudulent transfer proceedings, nondischargeability proceedings, and proceedings to determine the validity and priority of various claims or interests. In addition, Justin represents residential lenders in complex contested foreclosure actions, as well as against affirmative claims brought in state court, bankruptcy court, district court or on appeal.

Since the outbreak of the coronavirus pandemic, Justin has also helped lead firm's COVID-19 Response Team, created to assist clients in responding to the new realities of the economic and business landscape. Justin's COVID-19-specific experience involves assisting with lender/borrower forbearance negotiations, advising clients regarding landlord/tenant leasing issues, providing guidance on crisis management and business continuity, navigating garnishment issues, and other business-related matters that have arisen out of the coronavirus pandemic. For additional information, visit the firm's Banking & Financial Services COVID-19 Resource Center.

Bar Admissions & Activities

- Admitted, U.S. Supreme Court
- Admitted, State of Ohio
- Admitted, U.S. Court of Appeals for the 6th Circuit
- Admitted, U.S. District Court for the Northern and Southern Districts of Ohio
- Member, Ohio State Bar Association
- Member, Columbus Bar Association Bankruptcy Committee
- Past Chair, Banking, Commercial and Bankruptcy Law Committee; Ohio State Bar Association

Education

- University of Cincinnati College of Law (J.D.), 2002; Student Articles Editor and associate member, *University of Cincinnati Law Review*
- Hobart College (B.A.), 1999

CONTACT INFORMATION

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INDUSTRIES & PRACTICES

Creditors' Rights, Restructuring
& Bankruptcy
Banking & Financial Services
Litigation



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Awards & Recognition

- Listed, *Best Lawyers in America* (Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law; Litigation - Bankruptcy; Mortgage Banking Foreclosure Law), 2016–2023

Professional & Community Activities

- Member, American Bankruptcy Institute

Experience

Secured creditor representation in a warehouse line of credit default

Represented a secured creditor to obtain judgment following payment default on a warehouse line of credit and pursued various execution remedies across state lines to collect the amount due.

Receivers' counsel and advisor

Represented and advised court-appointed receivers in state court proceedings to manage and liquidate real property and/or businesses.

Revenue bond default litigation

Represented a community development authority in a priority dispute following default in payment of service payments and community development charges.

Landlord/tenant litigation

Represented commercial landlords in state court to recover the possession of premises and collect unpaid rent.

Leases in bankruptcy

Advised commercial landlords regarding their rights and remedies when a tenant files bankruptcy.

Springing recourse guaranty litigation

Represented a creditor in state court litigation to enforce the terms of a springing recourse guaranty agreement, also known as a "bad boy" guaranty.



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Customers and suppliers in bankruptcy

Helped navigate various vendors, suppliers and customers through all phases of the bankruptcy process.

Complex judgment execution and collection remedies

Represented a judgment creditor in a complex garnishment proceeding involving more than \$1 million.

Foreclosure and receivership of golf courses

Represented a secured creditor to foreclose two separate golf courses and obtained appointment of a receiver to manage the business and preserve cash flow during contested foreclosure.

Foreclosure and receivership of ground lease

Represented a secured creditor to foreclose a complex ground lease located at an airport and obtained the appointment of a receiver to manage the collateral and market for sale. Obtained a negotiated settlement prior to the sale of the collateral.

Commercial foreclosure in multistate federal court case

Served as lead counsel to a secured lender on a federal court receivership case involving a broad range of issues across multiple states.

Receiver representation for commercial properties in Ohio

Served as receiver's counsel on all issues related to property management, leasing and sale and assisted in the successful resolution of receivership cases across the state.

Contested residential mortgage foreclosures

Served as Ohio counsel for a loan servicer, handling the broad spectrum of complex federal, state and common law issues that arose in the context of consumer financing and residential mortgage lending.