

Joshua J. Bruckerhoff

Partner

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(512) 647-6104



Josh Bruckerhoff is a partner at Reid Collins & Tsai. He appears in federal and state courts across the country representing bankruptcy trustees, offshore liquidators, and hedge funds in litigation against directors and officers, law firms, banks, auditors, and recipients of fraudulent transfers.

Josh is known for finding innovative solutions to complex cases. For instance, Josh developed the arguments that resulted in a landmark victory in the Seventh Circuit concerning the scope of section 546(e) of the Bankruptcy Code. The U.S. Supreme Court, in *Merit Management Group v. FTI Consulting*, recently affirmed the Seventh Circuit's ruling, opening new avenues of recovery for bankruptcy trustees across the country.

Josh has broad experience handling cross-border matters, having worked on cases such as Bear Stearns, Stanford International Bank, ICP Strategic Credit Income Fund, and AJW Master Fund. He has pursued both U.S. and foreign-law claims on behalf of liquidators in the context of Chapter 15 proceedings.

Josh also devotes a significant portion of his practice to bringing legal-malpractice claims. He has handled an array of such claims, including matters where the law firm was alleged to have: failed to file claims within the statute of limitations, negligently drafted multimillion-dollar loan documents, failed to report fraud to a company's independent directors, overbilled its client in connection with an internal investigation, and provided erroneous advice on federal and state securities laws.

Josh was recently recognized as one of the 500 Leading Plaintiff Financial Lawyers by Lawdragon. He also has been recognized in various guides

Credentials

EDUCATION

University of Texas Law School J.D., with honors, 2007

University of Illinois at Urbana-Champaign B.A., History & Political Science summa cum laude, 2004

ADMISSIONS

Texas

United States Supreme Court

U.S. District Courts for the Eastern, Northern, Southern, and Western Districts of Texas

U.S. Court of Appeals for the Fifth Circuit

CLERKSHIPS

published by Benchmark Litigation and Super Lawyers.

Josh received his J.D., with honors, from the University of Texas School of Law. He served as a Notes Editor for the Texas Law Review and clerked at the Texas Third Court of Appeals during law school. He graduated summa cum laude from the University of Illinois at Urbana-Champaign, where he received the Bronze Tablet award, the highest university honor for academic achievement.

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Accolades

- Representation of the liquidators of the Bear Stearns feeder funds, which collapsed in 2007 as part of the financial crisis.
- Representation of a large publicly traded company in a legal-malpractice action.
- Representation of the Adeptus Litigation Trust, a trust formed out of the bankruptcy of Adeptus Health, one of the largest operators of free-standing emergency rooms.
- Representation of the Creditors' Trust for Doral Financial Corporation, the former holding company of Doral Bank, Puerto Rico, which the FDIC placed into receivership in 2015.
- Representation of the liquidators of ICP Strategic Credit Income Master Fund, a hedge fund that was placed into liquidation in the Cayman Islands after the SEC sued its manager for securities fraud.
- Representation of the liquidating trustee for an investment fund that failed in connection with the bankruptcy of USA Capital, a commercial loan servicer with more than \$960 million in outstanding loans.
- Representation of a group of funds in a legal malpractice case against an international law firm.
- Representation of the plan administrator for the bankruptcy estate of a company that was a victim of a \$140 million fraudulent scheme.
- Speaker, "The Promise and Pitfalls of Civil RICO as a Fraud Recovery Tool: A Litigator's Perspective," Offshore Alert Conference (April 2022)
- Speaker, "Maximizing Value of the Bankruptcy Estate," ABI Caribbean Insolvency Symposium (February 2022)
- Speaker, Shades of Gray in Fraud Litigation, Asset Recovery International Conference (February 2019)
- Speaker, Claw-back Claims in Cross-Border Insolvencies, Asset Recovery Americas Conference (September 2018)
- Speaker, Who to Sue When Financial Fraud Occurs, Offshore Alert Conference (April 2018)
- Speaker, How the Supreme Court Reversed Over 20 Years of Precedent to Narrow the Section 546(e) Safe Harbor, ABA Business Bankruptcy Committee (April 2018)
- Co-author, The Definition of "Financial Institution": The Next Battleground in the Fight over § 546(e) of the Bankruptcy Code, ABI Commercial Fraud

Newsletter (January 2018)

- Speaker, Are Claims Under Sections 146 and 147 of the Companies Law Underused Remedies?, Cayman Islands Recovery and Insolvency Specialists Association (September 2017).
- Co-author, Circuit Split Deepens on Scope of § 546(e) by Recognizing Limits on the Application of the Safe Harbor, ABI Journal (October 2016)
- Author, Giving Nature Constitutional Protection: A Less Anthropocentric Interpretation of Environmental Rights, 86 Tex. L. Rev. 615, 616 (2008)