

## Mark J. Wolfson

### Partner

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Tampa

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Mark J. Wolfson has advised business clients in a wide variety of complex business bankruptcy reorganization cases and commercial litigation actions. He is a partner in the firm's Litigation Department and a member of its Bankruptcy & Business Reorganizations Practice Group (the senior lawyer in the Florida group). He also is the former chair of the Litigation Department in Tampa. He has been practicing commercial litigation and bankruptcy for more than 39 years.

Mark has extensive experience in out-of-court loan workouts and restructuring matters as well as broad experience in all types of insolvency and bankruptcy cases, representing debtors, secured creditors, official creditors committees, buyers of assets in chapter 11, equity holders, bondholders, landlords, and franchisors. He has experience in state, federal district, and bankruptcy courts litigating fraudulent transfer and preference actions and has been involved in state assignment for the benefit of creditor proceedings.

Mark's experience covers insolvency issues that arise in the following spaces: retail, health care, hotels, resorts, marinas, golf course venues, manufacturing, telecommunication, technology, automotive, and agriculture. In 2020, Mark was the co-lead attorney representing Stein Mart, Inc., a big box retailer, with 280 stores throughout 30 states, in its chapter 11 case filed in Jacksonville, Florida. Mark also was one of the Foley partners who represented PNW Healthcare and its affiliates in the successful confirmation of their bankruptcy plan, in December 2020, for their 15 skilled nursing facilities in the Pacific Northwest. In 2020, Mark was co-counsel to the official committee in FoodFirst Global Restaurants d/b/a Brio's chapter 11 case in Orlando, and he has been lead committee counsel in at least three other Florida chapter 11 cases. His committee representation has extended to Puerto Rico in the NewCom chapter 11 case that resulted in a 100% payout to the unsecured creditors.

### Representative Experience

- Debtor counsel in *Stein Mart*, Jacksonville, FL-2019-20
- Co-Committee counsel in *Brio's Restaurants*, Orlando, FL- 2020-21

- Special Debtor counsel in *Path Medical Group*, Ft. Lauderdale, FL-2021-22
- Committee counsel in *Bertucci's Restaurants*, Orlando, FL-2023

## Awards and Recognition

- Selected as a 2023 "Litigation-Bankruptcy Lawyer of the Year" by *Best Lawyers*
- Peer review rated as AV Preeminent®, the highest performance rating in the Martindale-Hubbell® Peer Review Ratings™ system
- Recognized by *Chambers USA: America's Leading Business Lawyers* since 2003
- Selected for inclusion in the 2006-2022 Florida Super Lawyers lists
- Selected by his peers for inclusion in *The Best Lawyers in America®* in the fields of Bankruptcy and Creditor-Debtor Rights / Insolvency and Reorganization Law (2007-2024) and Litigation – Bankruptcy (2011-2024)
- Honored by The Florida Bar Business Law Section as its Outstanding Member of the Year (2001)
- Awarded "Thirteenth Judicial Circuit Outstanding Pro Bono Service by a Lawyer Award" by The Hillsborough County Bar legal community (2017)
- Recipient, Foley & Lardner Lynford Lardner Community Service Award
- Recipient on behalf of Foley's Tampa office of Outstanding Law Firm Commendation Award for Pro Bono Service, awarded by the Chief Justice of the Florida Supreme Court (2018)
- Recipient, "Florida Bar President's Outstanding Pro Bono Lawyer Award" for Hillsborough County, Florida, presented by the Chief Judge of the Florida Supreme Court (2019)
- Recipient, Jimmy Kynes Pro Bono Service Award Mark was honored by the Thirteenth Judicial Circuit and the Hillsborough County Bar Association for his career commitment to pro bono service (2020)

## Affiliations

- Chair, Florida Bar Business Law Section (2005-2006)
  - Member of the Section's Executive Council
- Chair, Florida Bar Business Law Section's Bankruptcy/UCC Committee
- Lead representative, Florida Bar Business Law Section in connection with the enactment of Revised Article 9 in Florida in 2001
- Primary drafter of many of the unique Florida provisions and the law that permitted Florida to outsource the UCC filing process
  - Chairperson, section subcommittee that drafted the 1993 amendments to Florida's Assignment of Rents statute
  - Participated in the drafting of amendments to Florida's judgment lien statute, signed by Florida's Governor in June 2023, that added account receivables and payment intangibles to the types of personal property subject to levy
- Member, American Bankruptcy Institute
  - Member and speaker, American Bankruptcy Institute's Advisory Board for the Alexander L. Paskay Annual Bankruptcy Conference

## Community Involvement

- Chair, Pro Bono Committee, Foley's Tampa Office for more than seven years
- Mark continues to provide volunteer pro bono legal services to families with developmentally disabled young adults in guardianship and guardianship advocacy cases.
- Outside the legal profession, Mark has been involved for more than 25 years in leadership roles with Congregation Schaarai Zedek in Tampa and URJ Camp Coleman, a nonprofit overnight summer camp that serves children and teens from throughout the Southeast, including Tampa Bay. After serving as a trustee, officer and Vice President, Mark served as President of the Congregation during 2005-07, which included planning and raising funds the first major expansion of the Amy Gail Buchman Pre-school facilities. Mark has served as Chair of Camp Coleman's Advisory Board.
- Mark was selected to and participated in the Tampa Chamber of Commerce's Leadership 2000 class.

## Thought Leadership

- Lectured and written foreclosure, lender liability, fraudulent transfer, and bankruptcy matters.
- Author, "'Judgment Lien Improvement Act' – Judgment Defendants Beware Because Your Creditors May Be Able to Get It Although They Can't See It!," *The Florida Bar Journal* (November/December 2023)
- Lead co-author, "The Impact of Bankruptcy" for The Florida Bar practitioner's manual *Florida Construction Law and Practice*. Edited 2023 update of chapter for 10<sup>th</sup> Edition.
- Co-authored "An Analysis of the 1993 Mortgage Foreclosure Act," (*The Florida Bar Journal*, p. 68, October 1993).
- Served two terms on the editorial board of *The Florida Bar Journal* and *Florida Bar News*

## Sectors

- [Health Care & Life Sciences](#)
- [Hospitality & Leisure](#)
- [Manufacturing](#)
- [Supply Chain](#)

## Practice Areas

- [Bankruptcy & Business Reorganizations](#)
- [Creditor Committee Representation](#)
- [Fiduciary Representation](#)
- [Financial Institutions](#)
- [Litigation](#)
- [Retail & Consumer Services](#)

## Education

- University of Florida (J.D., 1982)
  - Judicial clerkship to the Florida 2<sup>nd</sup> District Court of Appeals



FOLEY & LARDNER LLP

- University of Tennessee (B.A., High Honors, 1979)
  - Phi Beta Kappa
  - Omicron Delta Kappa