



# BRETT M. AMRON

## Founder

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Miami

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*“He’s an effective litigator who is both skilled and tenacious.” “A very good litigator who is focused and practical.” Chambers USA*

Brett Amron has been a litigator his entire career. Brett advises clients nationally in complex business and bankruptcy litigation with an emphasis on director and officer liability(D&O), breach of fiduciary duty, partnership and shareholder disputes, fraud, and avoidance and recovery of preferential and fraudulent transfers. Brett represents court-appointed fiduciaries, trustees, receivers, corporations, shareholders, individuals, creditors’ committees, and secured and unsecured creditors.

Brett heads the Director and Officer Liability fiduciary practice, which identifies, investigates, and prosecutes claims against directors and officers. By maximizing the return on insurance coverage, Brett has been able to produce recoveries to creditors totaling tens of millions of dollars.

Brett was an early adopter of using contingency fee arrangements in insolvency and business litigation where resources can be limited. Under Brett’s leadership, Bast Amron’s commercial contingency practice has expanded both substantively and geographically. Brett actively represents clients in high-stakes litigation in many jurisdictions across the country, including Florida, Michigan, New York, Delaware, California, New Jersey, and Washington.

Brett began practicing law as a prosecutor in Miami. From there, he joined a large local firm in its bankruptcy litigation group, where he was elevated to partner. In 2008, Brett started his own practice and, in 2009, founded Bast Amron LLP with his partner Jeffrey Bast. The firm is widely recognized as one of South Florida’s top boutique firms delivering sophisticated advice to an array of clients with complex

business disputes.

Brett's legal work in litigation and bankruptcy has been recognized: Chambers and Partners ranked USA BAND 1 for Bankruptcy Litigation; recipient of the 2022 Turnaround and Transaction of The Year Award in the Non-Profit category by The Turnaround Management Association (TMA), a premier nonprofit serving corporate renewal and restructuring professionals worldwide; recognized by The National Law Journal as a Plaintiff's Lawyers Trailblazer; highest possible AV Preeminent® Rating, Martindale-Hubbell, in both Legal Ability and Ethical Standards. Best Lawyers in America- Listed in Creditor Debtor Rights/Insolvency and Reorganization Law; Litigation-Bankruptcy, Florida Super Lawyers, Business Litigation, Creditor Debtor Rights, Top 100 in Florida

Brett speaks and writes frequently on various topics related to his practice and is currently a member, American Bar Association, Business Law Section, and D&O Liability Committee, and member, Federal Bar Association, Federal Litigation Section Board.

## Representative Experience

### **Director & Officer and Fiduciary Liability**

- Special litigation counsel to ***The Stapleton Group, Inc.***, in its capacity as receiver of PSW Real Estate, LLC, retained to investigate, commence, and prosecute potential claims against third parties
- Special litigation counsel to Liquidation Trust of ***Vital Pharmaceuticals, Inc.*** retained to prosecute claims against the former officers, directors, and insiders
- Special litigation counsel to Liquidation Trust of ***Furniture Factory Ultimate Holding, L.P.***, retained to prosecute claims against the former officers, directors, and insiders
- Special litigation counsel to Liquidation Trust of ***Olympia Sports Acquisitions, LLC***, retained to investigate and prosecute claims against the former officers, directors, and insiders
- Special Litigation Counsel to Virginia Burdette, Chapter 7 Trustee of the bankruptcy estate of ***Wireless Advocates, LLC***, retained to investigate and

prosecute breach of fiduciary, avoidance, and other claims against the former officers, directors, and insiders, which resulted in a \$14 million recovery for creditors

- Special litigation counsel to Assignee of ***Crystal Cruises, LLC***, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors, which resulted in a \$15.5 million recovery for creditors
- Special litigation counsel to Liquidation Trust of ***Modell's Sporting Goods, Inc.***, retained to investigate and prosecute breach of fiduciary, avoidance, and other claims against the former officers, directors, and insiders, which resulted in \$25.5 million in recoveries for creditors
- Special litigation counsel to Liquidation Trustee of the ***Pareteum Corporation*** TEUM Liquidating Trust, retained to prosecute claims against former officers and directors, as well as third parties
- Special litigation counsel to Liquidating Trustee of ***Orchid's Paper Products*** Liquidating Trust retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors
- Counsel to the Trustee of ***South Atlantic Regional Center, LLC***, retained to investigate and prosecute claims against former officers and directors, as well as third parties, resulting in excess of \$5.5 million in recoveries for creditors
- General counsel to Assignee of ***Miami Perfume Junction, Inc., 2851 Investments, LLC, Clarus Group, Inc., and Doral International Products, LLC***, retained to investigate and prosecute claims against directors and officers, as well as third parties, resulting in excess of \$3.2 million in recoveries for creditors
- Special litigation counsel to the Chapter 7 Trustee of ***UVLrx Therapeutics, Inc.***, retained to investigate and prosecute breach of fiduciary duty claims against former directors and officers, and to pursue claims against the D&O insurer for declination of coverage, bad faith, and recovery of excess judgment. These efforts resulted in a settlement and entry of consent final judgment exceeding policy limits.
- Special litigation counsel to Washington State Court Appointed Receiver of ***Infectious Disease Research Institute***, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors, resulting in a \$5.5 million recovery for creditors

- Special litigation counsel to Assignee of **Allied Aerofoam Products, LLC**, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors, resulting in a \$2.4 million recovery for creditors
- Special litigation counsel to the Liquidating Trustee of **SMF Energy Corporation**, retained to prosecute claims for breach of fiduciary duty against the former directors and officers, which resulted in a \$6.1 million recovery for creditors
- Special litigation counsel to the Liquidating Trustee of **Advanced Blast Protection, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors, which resulted in a \$1.95 million recovery for creditors
- Special litigation counsel to Curator for the **Probate Estate of Victor Posner**, retained to investigate and prosecute claims against the surety bond for the removed personal representative's breaches of fiduciary duty, resulting in a \$12 million recovery for creditors
- Special litigation counsel to the Chapter 11 Plan Administrator in **E-Brands Restaurants, LLC**, et al., retained to prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a recovery of \$1 million (100% of the insurance policy proceeds) for creditors
- Special litigation counsel to Assignee of **Recovery Associates of the Palm Beaches, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a recovery for creditors
- Special litigation counsel to Chapter 7 Trustee of **Puglia Engineering, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a recovery of almost \$1 million (full policy limits) for creditors
- Special litigation counsel to the Chapter 7 Trustee of **AA Florida Bridal Retail Company, LLC**, et al, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors and hedge fund, which resulted in recoveries of \$2 million and \$2.25 million for creditors
- Special litigation counsel to Washington State Court Appointed Receiver of **Papa Washington, LLC, and J. Sound Pizza, LLC**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors

and officers, which resulted in a \$1.6 million recovery for creditors

- Special litigation counsel to the Creditor Trust of **ATIF, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former officers and directors, which resulted in a \$2.25 million recovery for creditors
  - Special litigation counsel to Chapter 7 Trustee of **MFPI Group, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a recovery for creditors
  - Special litigation counsel to Assignee of **CareSync, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a \$1.4 million recovery for creditors
  - Special litigation counsel to Chapter 7 Trustee of **Astor & Black Custom, LLC**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a \$2.5 million recovery for creditors
  - Special litigation counsel to Assignee of **Panelfold, Inc.**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a settlement and recovery for creditors
  - Special litigation counsel to Assignee of **Saco Trading, LLC**, retained to investigate and prosecute breach of fiduciary duty claims against the former directors and officers, which resulted in a recovery for creditors

## **Insolvency Litigation**

- Counsel to Assignee in assignment for the benefit of creditors of Miami Perfume Junction, Inc., 2851 Investments, LLC, Doral International Products, LLC, and Clarus Group, Inc., retained to administer the estate, and investigate and prosecute breach of fiduciary duty, avoidance, collection and other claims against the former insiders, and various third parties
- Special litigation counsel to the Curator for the *Probate Estate of Victor Posner* retained to prosecute claims against surety bond for removed personal representative's breaches of fiduciary duty, which resulted in a recovery of \$12 million for creditors
- Special litigation counsel to the Chapter 7 Trustee of *AA Florida Bridal Retail Company, LLC, et al*, retained to assert lender liability claims against

a hedge fund, which resulted in a recovery of \$2.25 million for creditors

- Counsel to a consortium of lenders to prosecute negligent misrepresentation claims against an Actuary for a defunct medical services provider, which resulted in a recovery to our clients

## **Commercial Litigation**

- Counsel to displaced partner of a high-profile law firm in a three-day arbitration of a partnership dispute resulting in a multi-million dollar award in favor of client
- Counsel to multi-national corporation pursuing multi-million dollar breach of contract, guarantee claims, and defending counterclaims with alleged damages in excess of \$40 million
- Counsel to foreign corporation and U.S. subsidiary in defense of breach of contract, negligence, negligent misrepresentation claims with alleged damages in excess of \$20 million
- Counsel to developer of TAO, a 400 unit luxury condominium, defending rescission and breach of contract claims

## **Reported Decisions:**

- *In re Modell's Sporting Goods, Inc.*, United States Bankruptcy Court, D. New Jersey. April 14, 2023 (2023 WL 2961856)
- *Bond v. Luzinski*, 313 So. 3d 196, Fla. Dist. Court of Appeals, 2nd Dist. (2021)
- *Village Condominium Ass'n v. Association Financial Services, C.*, 151 So.3d 1259 (Fla. 3d DCA 2014) (table)
- *Yarns America, Inc. v. Jab Textiles, Inc.*, 78 So.3d 550, District Court of Appeal of Florida, Fourth District, February 01, 2012, Parallel Citations (2012 WL 287797 4th DCA FLA 2012)
- *KPMG LLP v. State, Dept. of Ins.*, 833 So. 2d 285 (1st DCA FLA 2002)
- *In re Simon*, United States Bankruptcy Court, S.D. Florida. June 17, 2010, (2010 WL 3633496)
- *In re Scott Acquisition Corp.*, 344 B.R. 283, United States Bankruptcy Court, D. Delaware. June 23, 2006 (WL 46 Bankr. Ct. Dec. 196)
- *In re Scott Acquisition Corp.*, 364 B.R. 562, United States Bankruptcy Court, D. Delaware. March 06, 2007 (WL 47 Bankr. Ct. Dec. 280)

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## Awards and Recognitions

- Chambers and Partners USA BAND 1 (2022) for Bankruptcy Litigation-Florida, 2011-2024
- *Recognized by [Business Today](#) as the “Top 10 Most Influential Bankruptcy Litigation Lawyers in Florida in 2023.*
- ***Turnaround And Transaction Of The Year Award*** in the Non-Profit category-2022
- *Recognized by [The National Law Journal](#) as a Plaintiff’s Lawyers Trailblazer, 2022*
- *Recognized as [Florida Trailblazers](#) in the ALM-Daily Business Review’s second annual Florida Trailblazers special supplement, 2020*
- Highest Possible AV Preeminent® Rating, Martindale-Hubbell In Both Legal Ability and Ethical Standards, 2010-2025
- *Best Lawyers In America-* Listed in Creditor Debtor Rights/Insolvency and Reorganization Law; Litigation-Bankruptcy, 2013-2024
- • Florida Super Lawyers, Business Litigation, Creditor Debtor Rights: Business, Bankruptcy: Business, 2006-2024
  - Top 100 in Florida 2013-2022
- *South Florida Legal Guide-* Listed among the Top Lawyers in Corporate and Business Litigation, Bankruptcy Litigation, 2015-2022
- *Florida Trend, Florida’s Legal Elite, Bankruptcy, and Workout, 2005-2022*

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## Publications

- 2023 contributed as co-author to the American Bar Association’s annual publication, Recent Developments in Business Courts.
- 2022 co-authored-article for [Norton Bankruptcy Law Adviser’s](#) April 2022 Issue 4 -*Third-Party Releases—Where Do We Stand?*
- 2022 contributed as co-author to the American Bar Association’s annual publication, Recent Developments in Business Courts.
- 2017 Edition “Director & Officer Liability for WARN Act Claims in Light of

*Stanziale*"- *ABA Business Law Today*, July 2017

- 2016-2019 Editions "Recent Developments In Business and Corporate Litigation"- The Business Courts Chapter for Contributors, December 2016-2019
  - ABA Flash Report- Business Law Section D&O Liability Committee- "Delaware Supreme Court Emphasizes Public Policy Behind Support of Advancement" December 2016
  - ABA Flash Report-"Sec Sues General Counsel of RPM International Based on Alleged Disclosure and Accounting Failures, Apparently In Violation of Corporate Reporting and Disclosure Requirements" September 2016
  - ABA Flash Report-"Delaware Supreme Court Affirms Court of Chancery's Lack of Damages Award as an Exercise of Remedial Discretion in *Optimiscorp V. Waite*. May 2016
  - ABA Flash Report- Business Law Section D&O Liability Committee - "Advancements of Fees For Former Officers" April 2016
  - ABA Flash Report - Removal of Directors: Vaalco Energy Shareholder Litigation, April 2016
  - "Florida Complex Business Litigation Courts," for inclusion in the American Bar Association publication "Recent Developments in Business and Corporate Litigation" June 2015
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## Speaking Engagements

- Panelist, The [Federal Bar Association \(FBA\)](#) "Day in the Life of a Federal Litigator", October 2023
- Panelist, "Understanding Insurance Coverage in Pursuit of Civil Claims" NABT Annual Conference, August 2023
- Panelist, Virtual CLE webinar, "Bankruptcy Fraudulent Transfers as Securities Claims." Opening the Door to Recovering D&O Insurance Proceeds, Presented by Strafford Publications, Inc., May 2023
- Panelist, "What's the difference between a breach of fiduciary duty and doing your job really really badly? Litigating D&O claims in the modern age" panel at The [American Bar Association Business Law Section](#) Hybrid Spring Meeting, March 2022



- Moderator, “Bar Orders in the Eleventh Circuit - Will They be Approved?” panel at NABT’s Regional Meeting, March 2022
- Panelist, “Bankruptcy Law in 2022: A View from the Bench & Bar” the keynote panel at the American Inns of Court’s Bench and Bar Conference, February 2022
- Speaker, University of Florida Levin College of Law students “Spring 2022 Applied Bankruptcy Course”, January 2022
- Panelist, Webinar: D&O Liability Litigation: Cutting-Edge Strategies & Insights, hosted by [The Central Florida Bankruptcy Law Association](#), March 2021
- Panelist, Webinar: D&O Indemnity Claims in Bankruptcy: Navigating Third-Party Suits, Chapter 11, and D&O Insurance Coverage, Presented by Strafford Publications, Inc., January 2021
- Panelist, Webinar: D&O Liability Litigation: Cutting-Edge Strategies & Insights, Presented by The Bankruptcy Bar Association Southern District of Florida, November 2020
- Panelist, Webinar: Navigating D&O Fiduciary Duties in the Zone of Insolvency: Avoiding and Defending Fiduciary Duty Claims and Maximizing D&O Insurance Coverage, Presented by Strafford Publications, Inc., October 2020
- Speaker, Webinar: Best Practices for Directors & Officers in an Economic Downturn, hosted by Turnaround Management Association, July 2020
- Speaker, Webinar: Managing Corporate/Entity and Individual Asset Cases, hosted by NABT | National Association of Bankruptcy Trustees, May 2020
- Speaker, Director & Officer Claims - A Fiduciary’s Perspective, N.D.Fla. Bankruptcy Bar Association Annual Seminar, Pensacola, September 2019
- Speaker, Webinar: D&O Indemnity Claims in Bankruptcy: Navigating Third-Party Suits, Chapter 11 and D&O Insurance Coverage, Presented by Strafford Publications, Inc., August 2019
- Speaker, Webinar: Navigating D&O Fiduciary Duties in the Zone of Insolvency, Presented by Strafford Publications, Inc., June 2019
- Speaker, Webinar: Director & Officer Litigation: Navigating Claims Through the Zone of Insolvency, Presented by Pincus Professional Education, February 2019
- Speaker, Director, and Officer Liability for WARN Act Claims After Stanziale, ABA Business Law Section Spring Meeting, New Orleans, April 2017

- Speaker, A Critical Skills Workshop: Expert Witness Depositions, Fort Lauderdale, March 2017
  - Panelist, Seminar: Fifth Annual Circuit Court Boot Camp: Motions for Summary Judgment, Orlando, April 2016
  - Speaker, Bankruptcy Ins and Outs of Dischargeability: Avoiding a Malpractice Threat, California, May 2015
  - Panelist, Director Oversight Liability In The Cybersecurity Age: The Interplay of Caremark/Stone and Effective Risk Management, ABA Business Law Section Spring Meeting, April 2015
  - Panelist, Seminar: Involuntary Bankruptcy, Miami, March 2015
  - Speaker, Bankruptcy Litigation, Nova Southeastern University, March 2015
  - Moderator, Practicing with Professionalism, Florida Bar, January 2015
  - Partnership and Shareholder Disputes, Florida Institute of Certified Public Accountants Broward Chapter, November 2012
  - Speaker, Collections: Seeking and Collecting a Judgment, National Business Institute Seminar, Miami, September 2011
  - Complex Bankruptcy Issues, National Business Institute webcast, May 2010
  - Speaker, Nuts, and Bolts of Bankruptcy Law, National Business Institute, Miami, February 2008-2010
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## Professional & Community Activities

- Member, [Campaign Committee](#), Legal Services of Greater Miami
- Member, National Association of Bankruptcy Trustees
- Member, American Bar Association, Business Law Section, and D&O Liability Committee
- Fellow, American Bar Foundation
- Member, Bankruptcy Bar Association of the Southern District of Florida
- Member, American Bankruptcy Institute
- Member, American Bar Association, Joint Task Force on the Governance of Distressed Entities
- Member, American Bar Association
- Member, Advisory Board of the Legal Leaders Fundraising Campaign, Dade Legal Aid/Put Something Back Project, Dade County Bar Association

- Past President, Board of Directors, University of Florida Hillel
  - Member, Board of Directors, Temple Beth Am - 2008-2011
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## In The News

- [BAST AMRON ATTORNEYS PRESENT ON THREE-PART WEBINAR “NAVIGATING FRAUDULENT TRANSFER CLAIMS: STRATEGIES FOR CREDITORS AND DEBTORS”](#)
  - [ATTORNEYS FROM BAST AMRON LLP NEGOTIATE \\$14MM PRE-SUIT SETTLEMENT WITH FORMER DIRECTORS AND OFFICERS OF WIRELESS ADVOCATES, LLC](#)
  - [BAST AMRON ATTORNEYS INCLUDED IN 2025 BEST LAWYERS IN AMERICA® “BEST LAWYERS”](#)
  - [BAST AMRON ATTORNEYS RECOGNIZED IN 2024 EDITION OF FLORIDA SUPER LAWYERS](#)
  - [CHAMBERS AND PARTNERS USA RECOGNIZES BAST AMRON ATTORNEYS IN 2024](#)
  - [BAST AMRON FOUNDING PARTNERS REFLECT ON 15 YEAR JOURNEY AND BEYOND](#)
  - [BRETT AMRON WAS QUOTED IN A LAW 360 ARTICLE, “MODELLS REACHES \\$22.7M CH. 11 SETTLEMENT WITH EX-CEO”](#)
  - [ATTORNEYS FROM BAST AMRON, LLP NEGOTIATE \\$22.7 MILLION GLOBAL SETTLEMENT WITH FORMER CEO OF MODELL’S SPORTING GOODS, INC.](#)
  - [DAY IN THE LIFE OF A FEDERAL LITIGATOR WEBINAR WITH BRETT AMRON](#)
  - [8 BAST AMRON ATTORNEYS INCLUDED IN 2024 BEST LAWYERS IN AMERICA® “BEST LAWYERS”](#)
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## **Education**

J.D., University of Miami School of Law, *cum laude*

B.S. University of Florida, *with honors*, Finance

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## **Business Background**

Partner, Brett M. Amron, P.A.

Partner, Genovese Joblove & Battista

Associate, Genovese Joblove & Battista

Assistant State Attorney, 11th Judicial Circuit, Miami

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## **Admitted To**

Florida Bar

U. S. Supreme Court

U. S. Circuit Court of Appeals, Eleventh Circuit

U. S. District Court, Southern District of Florida

U. S. Bankruptcy Court, Southern District of Florida, Middle District of Florida,  
Northern District of Florida

U. S. Bankruptcy Court, Northern District of Texas

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## **Areas of Practice**

[Director & Officer \(D&O\) Liability](#)

[Insolvency Litigation](#)

[Commercial Litigation](#)