



## J. Michael "Mike" Sutherland

### Partner

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**Anyone can figure out a way to tear down a company, but I find it highly rewarding to first explore if there's a way to fix a broken company's problems and build it back up. Bankruptcy negotiations can sometimes get heated, but I work on constantly lowering the temperature in a case rather than heating things up. In addition, I'm often told that I have a better than average ability to see around corners, and then certainly helps me in these repair efforts.**

With four decades of experience as a bankruptcy attorney, Michael Sutherland guides companies in insolvency issues, business ownership disputes, directors and officers, litigation, insolvency and reorganization, the occasional receivership action, and professional liability matters. Michael's clients include primarily Texas- and New York-based large corporate lenders, debtors, healthcare companies, airlines, and retail giants, as well as not-for-profit organizations and municipalities.

Michael defends officers and directors in cases of alleged negligence and fellow bankruptcy attorneys in cases of alleged malpractice, as well as a range of other business clients. Lawyers often bring him in on cases that have proven to be particularly difficult and complicated because they appreciate his keen legal and business insights, his calm way of operating, and his ability to bring order to chaos. Michael also excels at seeing the end game earlier than most. Anticipating where a case is going gives him an advantage in crafting strategy.

A congenial personality has earned Michael the descriptor of "a breath of fresh air" on more than one occasion. In all matters, he prefers to reject "scorched-earth" tactics in favor of collaborative approaches that

bring parties together to discuss the situation with rationality — a method he views as the most productive and cost-effective way to remedy problems and get back to business. However, if negotiations don't yield the optimal result and a battle is warranted, Michael and his team persistently pursue their desired outcome and vigorously advocate for the clients' interests in and out of the courtroom.

Michael's outstanding performance over the years have brought him loyal clients and recognition on the list of Texas Super Lawyers in Bankruptcy and Workout from 2004–2021, as published in Texas Monthly, together with Best Lawyers in America and Best Lawyers in Dallas.

## Areas of Focus

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### Services

- Bankruptcy and Creditors' Rights
- Litigation and Disputes

### Education

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- University of Texas at Austin, J.D., 1981
- Abilene Christian University, B.A., 1976, summa cum laude
  - Member: Alpha Chi

### Admissions

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- Texas, 1981
- U.S. Supreme Court
- U.S. Court of Appeals Fifth Circuit
- U.S. Court of Appeals Tenth Circuit
- U.S. District Court Northern District Texas
- U.S. District Court Southern District Texas
- U.S. District Court Western District Texas
- U.S. District Court Eastern District Texas
- U.S. Bankruptcy Court Northern District Texas
- U.S. Bankruptcy Court Southern District Texas
- U.S. Bankruptcy Court Western District Texas
- U.S. Bankruptcy Court Eastern District Texas



## Recognition

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- Rated AV Preeminent by Martindale-Hubbell
- *Best Lawyers in America*, 2016–2022, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law.
- *D Magazine* Best Lawyers in Dallas, 2015–2019, Bankruptcy and Workout.
- *Chambers USA's* America's Leading Lawyers for Business from 2004 to the present.
- *Texas Super Lawyers*, in Bankruptcy and Workout, from 2004–2021, as published in *Texas Monthly*.



## Speeches/Publications

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- *Malpractice Issues in Bankruptcy Cases; Bankruptcy Issues in Malpractice Cases*, 26th Annual Jay L. Westbrook Bankruptcy Conference, November 2007.
- Co-author and former editor: *Bankruptcy Strategies for Lenders*, John Wiley & Sons, Inc. 1993 (originally entitled *Practical Bankruptcy for Creditors*, Professional Education Systems, Inc., 1985).
- Contributing author, *Advanced Chapter 11 Bankruptcy Practice* (Thomas J. Salerno, editor), (Wiley Law Publications, 1987).

## Outside of Work

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Michael enjoys gardening and grows a variety of herbs and other edible plants, as well as flowers. He also likes to draw and does a bit of creative writing when he gets the chance.