



Steve Loden

Partner

steve.loden@diamondmccarthy.com

D 713.333.5110

Locations

Houston

Related Practices

Bankruptcy, Business Insolvency, and Restructuring Representation

Bankruptcy and Insolvency Litigation

Education

- University of Houston Law Center (JD, *cum laude*, 1997)
- Texas A&M University (BA in Marketing, *cum laude*, 1993)

Steve Loden guides plaintiffs and defendants through complex commercial litigation and arbitration matters in Texas, New York, Colorado and across the country. With business clients spanning nearly every major industry from airlines and pharmaceuticals to energy and financial services, Steve has resolved numerous high-dollar disputes on a diverse range of issues, including breach of contract, fraud, corporate mismanagement, tortious interference, insurance claims, real estate, antitrust plus many more.

Debtors, trustees and creditors rely on Steve to handle every aspect of bankruptcy-related litigation arising from Chapter 11 reorganizations. He has helped clients in litigation involving fraudulent schemes and other misconduct that forces a company into insolvency or financial distress, including breach of fiduciary duties by directors and officers, Ponzi schemes, money laundering, professional malpractice and fraudulent conveyances.

Steve has played key roles in some of the most important bankruptcy cases of their time, including serving as the trustee's lead litigation counsel and primary courtroom spokesperson in the high-profile chapter 11 proceeding involving the law firm Dreier LLP. He oversaw the collection of over \$40 million in litigation recoveries on behalf of creditors of the defunct law firm, which operated as a front for an \$800 million Ponzi scheme perpetrated by its named partner. Steve also served as lead bankruptcy litigation counsel to the chapter 11 trustee for the AmLaw 100 firm, Howrey LLP.

Steve is also spearheading the firm's growing practice in Colorado, representing bankruptcy trustees, homeowners' associations and other business clients in a variety of matters. Currently, Steve is representing liquidating trustees in the pursuit of fraudulent conveyance and breach of fiduciary duty claims against the owners and managers of bankrupt businesses in Denver bankruptcy court, homeowners and Homeowners Associations in the Gunnison Valley, Colorado in connection with real property and construction disputes with builders and other stakeholders. Steve has also acted as general outside counsel to multiple Colorado Homeowners Associations as they attempt to place real property and business insurance policies in that ever tightening market.

Representative Experience

- Lead bankruptcy litigation counsel to the chapter 11 trustee for Howrey LLP.

- Lead bankruptcy litigation counsel to the Creditor Trustee for Sklarco, LLC in connection with bankruptcy proceedings pending in Denver., Colorado.
- Lead bankruptcy litigation and general counsel to the Liquidation Trustee for Avery Asphalt LLC and related entities in connection with bankruptcy proceedings pending in Denver, Colorado.
- Counsel to owners of a substantial residence under construction in Crested Butte, Colorado in the pursuit of pre-litigation construction defect and breach of contract claims against their builder.
- Counsel to a residential housing corporation in the pursuit of breach of contract claims against the builder who was retained to build multiple affordable housing units in Crested Butte, Colorado.
- Litigation counsel to a 45 unit Condominium Homeowners Association in the pursuit of construction defect and property damage claims against the builder and subcontractors of a condominium redevelopment project in Mt. Crested Butte, Colorado.
- Lead litigation counsel and courtroom spokesperson for the chapter 11 trustee of Dreier LLP, which was a leading New York litigation law firm that was used by disgraced attorney Marc Dreier to carry out an \$800 million Ponzi scheme.
- Counsel to the owner and operator of the Crested Butte Mountain Resort in Crested Butte, Colorado, in connection with various matters, including pursuit of breach of contract claims against non-paying third parties, receivership proceedings for a key hotel property at the resort, and the defense of claims brought by owners in a residential development adjacent to the ski resort.
- Litigation Counsel to the liquidating trustee of USA Capital Corp. in connection with its chapter 11 proceedings in Las Vegas, NV.
- Counsel to Enron Corp. in connection with its Chapter 11 cases. Steve was the primary associate assigned to make weekly bankruptcy court appearances on behalf of Enron Corp., and was responsible for representing Enron in numerous significant claims litigations and adversary proceedings involving hundreds of millions of dollars in claims and estate assets.
- Lead litigation counsel to MCI/WorldCom in connection with objections to claims totaling over \$25 million.
- Litigation counsel to United Companies Financial Corporation in connection with its Chapter 11 bankruptcy proceedings, with responsibility for prosecuting numerous objections to claims on behalf of the estate.
- Litigation counsel to General Motors Corporation in pursuit of claims against the Delphi Chapter 11 estate.
- Litigation counsel to Washington Mutual (f/k/a Bank United) in defense of avoidance actions brought by the Chapter 11 trustee in connection with a failed mortgage broker business located in Atlanta, Georgia.
- Litigation counsel to FARO Pharmaceuticals and Counsel Corporation in pursuit of fraud, fraudulent inducement, and breach of contract claims in Texas state court involving off-patent pharmaceuticals, resulting in a very favorable settlement.
- Counsel to American Airlines in connection with its defense of the United States Department of Justice's antitrust claims relating to American Airlines' response to the entry of low-cost carriers at DFW Airport.

Professional Associations

- State Bar of Texas
- New York State Bar Association
- Colorado Bar Association
- American Bar Association

- Houston Bar Association

Bar Admissions

- Colorado
- New York
- Texas