

# **Bennette Deacy Kramer**

Bennette Deacy Kramer joined the firm in 1993 and became a partner in 1996. Ms. Kramer is an experienced litigator whose practice focuses on bankruptcy litigation, complex commercial disputes and white collar criminal investigations. She has represented numerous clients in federal district court, bankruptcy court, federal courts of appeal and New York State Courts in matters involving a wide variety of subject areas, encompassing all aspects of bankruptcy litigation, including appeals to the District Court and Court of Appeals, civil RICO, white collar investigations, forfeiture and restitution resulting from criminal convictions. Ms. Kramer contributes to the Eastern District Roundup Column in the New York Law Journal.

## **HER BANKRUPTCY LITIGATIONS HAVE INCLUDED:**

- Currently representing client who has multiple claims and is subject to multiple claw back actions in the Madoff SIPA proceedings, including preparation of claims, participation in claw back adversary proceedings, successful withdrawal of the reference in the District Court, and appeal to the Second Circuit;
- Currently representing overseas clients in Madoff SIPA and related proceedings, including defending efforts to seek extraterritorial claw backs and assisting with claims;
- Currently representing various parties in actions relating to determination of value of derivative transactions in the Lehman bankruptcy and SIPA proceedings;
- Currently representing creditor seeking an exception to discharge in the Bankruptcy Court for the Eastern District of New York;
- Currently representing claw back defendant in Salander-O'Reilly Galleries, LLC bankruptcy case in the Bankruptcy Court for the Southern District of New York;
- Formerly represented claimant in Worldcom bankruptcy regarding determination whether the claim was secured or unsecured in Southern District Bankruptcy Court and appeals to District Court and Second Circuit;
- Represented creditor in fraudulent bankruptcy court proceedings brought in Puerto Rico to avoid the client's fraud judgment. Because the reorganization plan did not comply with the statute, was able to preclude the plan from being confirmed, leading to dismissal of the case;
- Represented numerous creditors in preference actions in courts in New York, Delaware, Illinois, Tennessee, New Jersey and Florida.

## **HER CRIMINAL AND WHITE COLLAR REPRESENTATIONS HAVE INCLUDED:**

- Currently representing client subject to restitution order in negotiations with the government concerning payment;
- Currently representing client in a third-party claim for property subject to forfeiture.
- Represented environmental investment fund in three-year investigation in District of New Jersey centering on failed development in the New Jersey Meadowlands resulting in complete exoneration of client;
- Represented client subject to money laundering indictment in the Eastern District of New York;
- Represented several clients subject to investigation by the New York District Attorney's Office.

## **HER CIVIL LITIGATIONS AND APPEALS HAVE INCLUDED:**

- Represented major United States airline in trademark case;
- Represented the oil company of the Republic of Congo in a judgment collection case in District Court and on appeal to the Second Circuit and obtained dismissal under the Foreign Sovereign Immunity Act;

- Obtained dismissal for the New York Academy of Art of a RICO action brought by former controller in the Southern District of New York;
- Successfully appealed case brought under the Federal Labor Standards Act.

Ms. Kramer is an active member of the Federal Bar Council of the Second Circuit, where she is the Co-Editor in Chief of the Federal Bar Council Quarterly and a Trustee of the Council. She is also a board member and secretary of both the Eastern District Civil Litigation Fund and Nazareth Housing, Inc.

She received her A.B. from Smith College in 1966 and her J.D. from Brooklyn Law School in 1987 (*summa cum laude*), where she was first in her class and Articles Editor of the Brooklyn Law Review. From 1987 to 1988 Ms. Kramer clerked for the Honorable Thomas C. Platt of the United States District Court for the Eastern District of New York. Before becoming associated with the Firm in April 1993, Ms. Kramer was associated with Cleary, Gottlieb, Steen & Hamilton.



## CONTACT

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## EDUCATION

Brooklyn Law School  
J.D., 1987, *summa cum laude*, Brooklyn Law Review, Articles Editor  
Smith College  
B.A., 1966

## BAR ADMISSIONS

New York  
U.S. Supreme Court  
U.S. Court of Appeals for the Second Circuit  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of New York