

People



## Thomas B. Fullerton

Partner, Bankruptcy and Reorganization

Chicago

T: +1 312 634 5726

thomas.fullerton@akerman.com

vCard

Tom Fullerton represents financial institutions in all facets of the loan cycle from origination to refinance to workouts and bankruptcy proceedings, including complex commercial litigation. He also represents clients in financings and other commercial transactions.

In his bankruptcy practice, Tom advises clients both in and out of court in various distressed situations. He represents banks, financial institutions, private equity firms, and insurance sector companies in complex bankruptcy and reorganization matters, as well as loan workouts involving note sales, deed-in-lieu transactions, and debt-to-equity swaps. Tom frequently litigates in bankruptcy court on chapter 11 plan confirmation, financing packages, landlord-tenant matters, and preferential or fraudulent transfers.

Tom also represents clients seeking financing for a variety of corporate transactions, including joint ventures, acquisitions, and mergers. When promoting a client's goals for growth, Tom's experience representing lenders, both within and outside of the distressed context, informs his counseling with an eye toward protecting those investments for the long term.

Tom is a Major in the U.S. Army JAG Corps. As a judge advocate, he manages and trains a team of attorneys and paralegals who defend Soldier-clients facing a range of civil and criminal charges. He has successfully defended many Soldier-clients from potentially career-ending actions, not only through his military service, but also through Akerman's pro bono initiatives.

### Notable Work

#### Bankruptcy and Reorganization

**Secured Lender:** Counsel to a bridge finance company in chapter 11 concerning a student housing complex. Secured full payment of principal plus interest and attorneys' fees.

### Areas of Experience

Bankruptcy and Reorganization  
Commercial Loan Enforcement and Secured Financing Litigation  
Financial Services  
Distressed Property  
Real Estate Financing

### Education

LL.M., Northwestern University Pritzker School of Law, Taxation, 2021  
J.D., University of Dayton School of Law, 2008  
B.A., University of Illinois at Urbana-Champaign, Political Science, 2005

### Admissions

#### Bars

Illinois  
Indiana  
Michigan

#### Courts

U.S. District Court, Northern District of Illinois  
U.S. District Court, Central District of Illinois  
U.S. District Court, Northern District of Indiana  
U.S. District Court, Southern District of Indiana  
U.S. District Court, Western District of Michigan

### Related Content

112 Akerman Lawyers Across the U.S. Named to 2023 *Super Lawyers* and Rising Stars Lists  
September 28, 2023

Akerman Partner Thomas Fullerton Named to American Bankruptcy Institute's 40 Under 40  
October 18, 2022

123 Akerman Lawyers Across the United States Named to 2022 *Super Lawyers* and Rising Stars Lists  
October 10, 2022

**Preference Litigation:** Obtained favorable settlement as bankruptcy counsel to an insurance brokers and trusts named as adversary defendants and facing claims for a return of substantial preference payments.

**Landlord:** Counsel to a landlord in a tenant's chapter 11 concerning a theater chain operating in Michigan, Illinois, and Indiana. Negotiated payment of administrative claim, post-rejection possession, and lease to the new operator.

### Transactional Experience

**Independent Sponsor:** Represent independent sponsor in its asset acquisition of three hardwood manufacturing companies, thereby facilitating the sponsor's mission to create a portfolio company dedicated to specialty building construction supplies.

**Real Estate Finance (Lender):** Represent large national trust company and lender in the negotiation and documentation of loans in both recourse and nonrecourse credit transactions.

**Real Estate Finance (Borrower):** Counsel to Chicago developer in acquisition of property in qualified opportunity zone financed with a syndicated construction loan.

### Related Professional Experience

- United States Army Reserve, Major, April 2011 - Present
  - U.S. Army JAG Corps - Deputy Regional Defense Counsel for the Central Region of the 22d Legal Operations Detachment

### Published Work and Lectures

- Real Estate Lenders Association, Speaker, "CRE Legal Response to COVID-19: What You Need to Know," April 30, 2020

### Honors and Distinctions

- *Super Lawyers* Magazine, 2019-2020, 2022-2023 Listed in Illinois as a "Rising Star" for Banking
- American Bankruptcy Institute (ABI), 40 Under 40 Honoree, 2022