

## BJ Finneran, Partner

BJ Finneran is a Partner at ZEK and has been a civil litigator for over 30 years, handling complex commercial disputes in the state and federal court systems. He represents multinational financial institutions, banks, and Fortune 500 companies, with a specialty in the areas of commercial litigation, real estate and banking litigation.

BJ represents lenders and special servicers, with expertise in non-performing portfolio and commercial CMBS loans involving workouts, receiverships, class actions and judicial and non-judicial foreclosures. BJ also represents real estate clients in actions involving breach of contract, breach of fiduciary duty, fraud, and business torts. He also advises mortgage servicers and financial institutions on contested commercial and residential foreclosure, creditor's rights, bankruptcy and mortgagor-initiated litigation.

BJ has more extensive trial experience than most other commercial litigators. He utilizes his extensive courtroom training as an Assistant District Attorney and commercial trial attorney in successfully representing ZEK clients at trial; evidentiary hearings involving multiple fact and expert witnesses; arbitration; and in settlement conferences. At one trial, he established a bank's standing to foreclose, utilizing a lost note affidavit, and records from a prior loan servicer, without direct evidence from the current Noteholder.

After protracted litigation in one case, including the bank prevailing in an appeal, BJ successfully negotiated and documented the multi-million-dollar settlement of a complex commercial loan after obtaining Final Judgment against the borrower and the Guarantor. In another contested commercial matter involving the post-judgment concealment of assets, after extensive investigation he assisted in obtaining a Writ of Attachment for the contents of a Guarantor's Safe Deposit Box which were subsequently seized and auctioned at a sheriff's sale to satisfy the judgment.

BJ also prevailed in a case of first impression concerning the triggering of the deadline to file a motion to re-argue and has successfully defended motions to dismiss filed under the New York Foreclosure Abuse Prevention Act (FAPA).

BJ volunteers at several charities through his church and is active in local civic organizations. In addition to spending time with his family outside of the office, BJ enjoys spending time at the Jersey Shore, gardening, and playing tennis.

