

Joao F. Magalhaes

MEMBER

Joao Magalhaes is a seasoned attorney who provides comprehensive legal counsel across corporate law, commercial litigation, bankruptcy, and regulatory affairs. With extensive experience guiding businesses through both growth and crisis, Joao delivers strategic solutions tailored to each client's unique circumstances.

Joao partners with business entities throughout their lifecycle, from initial formation and corporate structuring to complex operational challenges. His corporate practice encompasses contract negotiation, financing arrangements, commercial litigation strategy, and real estate acquisition and development. He regularly collaborates with governing boards, executives, and in-house counsel on high-stakes matters, including assisting an international telecommunications provider with nationwide infrastructure overhauls and technological upgrade initiatives.

When businesses face financial distress, Joao provides decisive guidance through turbulent times. He employs diverse strategies including capital infusion, asset sales, out-of-court workout negotiations, and formal bankruptcy proceedings. In Chapter 11 reorganizations, Joao has successfully represented entities across numerous industries—from national corporations to local nonprofits — spanning healthcare, housing, retail, engineering, hospitality, food and beverage, and automotive sectors.

Joao's bankruptcy practice extends beyond debtor representation. He has worked extensively with trustees to administer estates, recover assets, oversee auctions and liquidations, prosecute avoidance actions, and navigate complex regulatory issues including intercreditor disputes and environmental law compliance. As counsel to creditors and creditor committees, he seeks to maximize recoveries for clients in an efficient and durable manner, accounting for potentially challenging and unpredictable circumstances . He has also provided compassionate representation to individual debtors seeking fresh starts, contributing pro bono services to serve the community.

As an accomplished litigator, Joao handles complex disputes across federal, state, and multistate jurisdictions. His litigation experience spans contract disputes (both private and governmental), debtor-creditor rights, shareholder and partnership conflicts, insurance coverage matters, landlord-tenant disputes, employment law, and legal ethics issues. He has successfully guided clients through appellate proceedings, including representation before the United States Court of Appeals for the Third Circuit.

PRINCETON, NEW JERSEY

Princeton Pike Corporate Center,
Suite 203
2000 Lenox Dr.
Lawrenceville, NJ 08648

P: 609.989.5093

F: 609.392.7956

jmagalhaes@eckertseamans.com

PRACTICE AREAS:

Commercial Litigation

Bankruptcy & Restructuring

Business Counseling

Real Estate

Land Use

STATE ADMISSIONS:

New Jersey

New York

COURT ADMISSIONS:

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern District of New York

U.S. District Court for the Southern District of New York

U.S. Court of Appeals for the Third Circuit

EDUCATION:

J.D., Seton Hall University School of Law, 2008

B.S., Villanova University, 2004

LANGUAGES:

Portuguese
Spanish

Joao brings unique insight to public sector clients, having served with the Port Authority of New York and New Jersey before entering private practice. He has assisted government entities with statutory interpretation, authority scope questions, litigation management, housing regulations, labor and employment policies, collective bargaining negotiations, and public bidding compliance.

Regardless of the challenge at hand, Joao maintains an efficient, goal-driven approach that respects each client's specific needs, timeline, and resources. His diverse experience across industries and practice areas enables him to provide integrated solutions that address both immediate concerns and long-term strategic objectives.

PROFESSIONAL AFFILIATIONS

- American Bankruptcy Institute, Member, 2012 – present; ABI Journal Coordinating Editor, 2014 – 2023
- New Jersey Institute of Continuing Legal Education, Speaker, 2018 – present
- Portuguese American Bar Association, Member 2022 – present; Treasurer, 2024 – present
- Supreme Court of New Jerey District X-B Ethics Committee, Attorney Member & Investigator, 2018 – present
- Bankruptcy Inn of Court in the District of New Jersey, Barrister, 2008-2016
- James Caldwell High School, Mock Trial Coach for the Vincent J. Apruzzese Mock Trial Competition, 2008-2010

COMMUNITY INVOLVEMENT

- Portuguese-American Leadership Council of the United States, 2018-present
- Mental Health Association of Essex and Morris, Inc., previously served on Board of Directors

AWARDS AND RECOGNITION

- Selected for inclusion *in New Jersey Super Lawyers – Rising Stars*, (2013-2021)
- Selected as a New Leader of the Bar from the *New Jersey Law Journal* (2015)
- National Honor Society of Collegiate Scholars

NEWS AND INSIGHTS

PUBLICATIONS

- "Intersection of the Bankruptcy Code and ERISA: A Post-2020 Case Survey," American Bankruptcy Institute Journal, March 2023.
- "SCOTUS: Tribal Sovereign Immunity Abrogated Through the Code" ABI Journal, 09.18.2023.
- "Barton Doctrine Limited by the Eleventh Circuit? Examining

Keitel." American Bankruptcy Institute Journal, April 2022.

- "Chapter 15 Revisited: Unpacking More Concepts from Recent Cases," American Bankruptcy Institute Journal, September 2021.
- "Balancing Act in Abengoa Bioenergy: Revisiting the Equitable Mootness Doctrine's Impact on Appellate Rights," American Bankruptcy Institute Journal, April 2021.
- "Third Circuit Revisits Stern: Bankruptcy Courts May Grant Nonconsensual Releases," American Bankruptcy Institute Journal, June 2020.
- "The SDNY's Exposition of the Code's Asset-Sale Provisions," American Bankruptcy Institute Journal, January 2020.
- Featured in Best of ABI 2019: The Year In Business Bankruptcy – "Chapter 15 Primer: Learning the Global Chess Game," American Bankruptcy Institute Journal, April 2019.
- "Another Piece of the Jurisdictional Puzzle: Bankruptcy Courts Not "Courts" Under 28 U.S.C. § 1631," American Bankruptcy Institute Journal, March 2018.
- "Divided Circuit Denies Lenders Standing to Appeal under 'Persons Aggrieved' Doctrine," American Bankruptcy Institute Journal, January 2017.
- "Section 541: Spotlight on Tenth Circuit's Escrow Funds Ruling," American Bankruptcy Institute Journal, February 2016.
- "McGladrey II: 7th Circuit Upholds Auditor's in Pari Delicto Defense," American Bankruptcy Institute Journal, December 2015.
- "Changing Faces, Continued Tradition in 'NJ Bankruptcy Land'," The Absolute Priority, May 2015.
- "Managing the Status Quo: Managing the Status Quo: Guidance on Equitable Mootness, Substantial Consummation, and the Diligent Pursuit of Appeals," American Bankruptcy Institute Journal, February 2015.
- "Barring the Unknown Claimant," American Bankruptcy Institute Journal, August 2014.
- "Seventh Circuit Denies Creditor Relief on Grounds of Inaction," American Bankruptcy Institute Journal, April 2014.
- "Re-Examining § 506(b): Spotlight on Post-Petition Interest," American Bankruptcy Institute Journal, February 2014.
- "Averting Paths to Failure: Patriot Coal Court Authorizes Rejection of CBAs and Modification of Retiree Benefits," American Bankruptcy Institute Journal, September 2013.
- "The Sword and the Shield: More on the Old Tale of Deepening Insolvency and the In Pari Delicto Doctrine," American Bankruptcy Institute Journal, Dec. 2011/Jan. 2012.
- "Not Enough Hospitality to All Creditors? PSA Denied Between Innkeepers USA Trust and Lehman ALI Inc.," American Bankruptcy Institute Journal, April 2011.
- "Ninth Circuit's Marshall Decision Denies Anna Nicole Smith's Estate Millions by Placing Limits on Core Jurisdiction for Counterclaims," Bloomberg Law Reports, July 2010.
- "Actions for Accounts Receivable: Non-Core Proceedings? The Enduring Impact of Marathon," Journal of the National Association of Bankruptcy Trustees, Spring 2010.

- “Solid Waste Removal Contract Held Unenforceable Due to Unlicensed Operator,” NJSBA Construction Law Section Newsletter, August 2009.

SPEAKING ENGAGEMENTS

- “Essential Attorneys’ Guide to Bankruptcy and Restructuring,” presented biannually for the New Jersey Law Center.