

## Michael J. Fencer

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### Practice Areas

- Construction Law & Litigation
- Bankruptcy & Restructuring
- Litigation

### Contact

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Michael J. Fencer focuses his practice on commercial insolvency and reorganization, bankruptcy litigation, construction law and complex construction litigation, commercial litigation, and administrative law. He represents corporate and other business debtors and debtors-in-possession, creditors, official committees, trustees, asset buyers, and other parties in commercial bankruptcy proceedings in United States bankruptcy courts across numerous districts, including Massachusetts, New York, Delaware, Florida, Virginia, and Texas. Michael also represents property owners, construction managers, general contractors, and subcontractors in common and complex construction disputes in both state and federal courts.

Michael has prosecuted and defended claims on behalf of clients in state and federal trial and appellate courts involving fraudulent and preferential transfers, director and officer liability and insurance coverage claims, construction defects, construction claims for lost productivity and other claims for extra-contractual compensation, and the enforcement of construction liens and bonds. Michael also has advised and represented various parties to distressed merger and acquisition transactions, as well as asset and stock transactions. He also represents licensed professionals and tradesmen in administrative enforcement and disciplinary proceedings before various state licensing boards and commissions.

Prior to entering private practice, Michael served as a law clerk to the Honorable Joel B. Rosenthal (ret.) of the United States Bankruptcy Court for the District of Massachusetts. Michael is licensed by the Commonwealth of Massachusetts as a Master Electrician and a Journeyman Electrician, and by the Federal Aviation Administration as a private single engine and multi-engine airplane pilot.

### Admissions

- Massachusetts
- U.S. District Court for the District of Massachusetts
- U.S. Court of Appeals for the First Circuit

### Education and Experience

JD, *cum laude*, Suffolk University Law School  
BS, *magna cum laude*, Suffolk University

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### Membership and Committees

- Member, Boston Bar Association
- Member, Massachusetts Bar Association
- Member, American Bankruptcy Institute
- Member, Turnaround Management Association

### Honors and Awards

- Massachusetts Lawyers Weekly, “Go To Construction Lawyer,” 2023
- The Best Lawyers in America - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, Construction Law, 2020-2024
- Boston Magazine, “Top Lawyers” - Bankruptcy & Workout, 2022-2023
- Massachusetts Super Lawyers, 2011-2023
- Chambers USA - America’s Leading Business Lawyers, 2018-2023
- Martindale-Hubbell, “Top Bankruptcy Lawyer,” 2012
- Massachusetts Super Lawyers, “Rising Star,” 2005-2009
- AV Peer Review Rated