

# Robert J. Pfister

PARTNER

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Robert J. Pfister is a Member of KTBS, where he specializes in bankruptcy litigation and complex commercial disputes.

With more than a decade of experience in federal and state courts around the country, Mr. Pfister has tried cases to verdict before arbitrators, bankruptcy judges, and federal district judges in both bench and jury trials; prosecuted and defended appeals and requests for extraordinary writ relief (including a successful certiorari petition and merits briefing before the U.S. Supreme Court and a successful mandamus petition before the California Court of Appeal); and provided strategic litigation advice to clients that have included major financial institutions, private investment firms, property/casualty insurers, bankruptcy examiners and trustees, emerging market businesses, municipalities, and individuals.

Representative engagements include four trials in the Jefferson County, Alabama chapter 9 case (the largest municipal bankruptcy in U.S. history, until Detroit's filing); service as counsel to the examiner in the Tribune Chapter 11 cases (including assisting with the examiner's 2,000+ page report); and securing a judgment from twenty bankruptcy judges that the federal Defense of Marriage Act is unconstitutional, see *In re Balas & Morales*, 449 B.R. 567 (Bankr. C.D. Cal. 2011) – two years before the Supreme Court reached the same conclusion in *United States v. Windsor*, 133 S. Ct. 2675 (2013). Mr. Pfister presented argument to the en banc Ninth Circuit in a bankruptcy appeal concerning plan confirmation standards, see *In re Flores*, 735 F.3d 855 (9th Cir. 2013) (en banc), and was a principal author of: (i) the successful certiorari petition and merits briefing in *Travelers Indemnity Co. v. Bailey*, 557 U.S. 137 (2009) (in which the U.S. Supreme Court affirmed the finality of the confirmation order in the Johns-Manville bankruptcy case and reversed a circuit court's reexamination of the jurisdictional basis of that order 22 years after it was first issued), and (ii) the successful mandamus petition and merits briefing in *Employers Reinsurance Co. v. Superior Court (Thorpe Insulation Co.)*, 74 Cal. Rptr. 3d 733 (Ct. App. 2008) (in which a state intermediate appellate court granted interlocutory relief reversing the trial court's evidentiary ruling on course of dealing evidence in a complex insurance coverage dispute). Other published decisions include *In re Washington Mutual Securities, Derivative & ERISA Litigation*, 259 F.R.D. 490 (W.D. Wash. 2009) (dismissing securities fraud allegations against corporate officers for failure to plead with requisite particularity), and 536 F. Supp. 2d 1377 (J.P.M.L. 2008) (order from Judicial Panel on Multidistrict Litigation centralizing all WaMu-related litigation in Seattle); *In re NYFIX, Inc. Derivative Litigation*, 567 F. Supp. 2d 306 (D. Conn. 2008) (dismissal with prejudice of options backdating lawsuit against the developer of electronic trading platforms); and *American Reinsurance Co. v. U.S. Fidelity & Guaranty Co.*, 837 N.Y.S.2d 616 (App. Div. 2007) (interlocutory reversal of trial court discovery order concerning work product and attorney-client privilege in reinsurance dispute arising out of \$987 million settlement).

Mr. Pfister received his undergraduate degree from Indiana University and his law degree from NYU, after which he clerked for a United States District Judge in Connecticut. Mr. Pfister maintained a general litigation practice at a major international law firm, first in New York and then in Los Angeles, as an associate attorney and then as counsel. He joined KTBS in 2010 and was elected to the partnership effective January 1, 2011. Mr. Pfister was named a "Rising Star" by Southern California Super Lawyers each year between 2009 and 2014 and was named a "Super Lawyer" in 2015 and 2016. He has an AV® Preeminent™ peer review rating from Martindale-Hubbell. He is the author of *Marriage Equality in Bankruptcy Court: Joint Petitions for Same-Sex Couples*, 32 CAL. BANKR. J. 109 (2012), and is a member of the American Bankruptcy Institute, Financial Lawyers Conference, Los Angeles

## EDUCATION

- New York University School of Law (J.D.)
- Indiana University College of Arts & Sciences

## BAR ADMISSIONS

- California
- New York
- Connecticut
- Indiana

## RELATED PRACTICES

- Out of Court Representations
- Creditor and Committee Representations
- Debtor Representations
- Bankruptcy-Related Acquisitions / Investments
- Bankruptcy Litigation
- Trustee & Examiner Representations
- Expert Witness Engagements and Mediations

## RELATED INDUSTRIES

- Financial Services
- Hospitality
- Mass Torts
- Municipal and Government
- Professional Services
- Retail
- Real Estate

## PROFESSIONAL AFFILIATIONS

- American Bankruptcy Institute
- Financial Lawyers Conference
- Los Angeles Bankruptcy Forum
- Ninth Judicial Circuit Historical Society

## News

- ▶ Super Lawyers Again Recognizes KTB&S Attorneys
- ▶ Robert J. Pfister and David M. Stern Obtain Groundbreaking Ruling That The Defense of Marriage Act Is Unconstitutional