



Gustavo A. Chico-Barris

Member

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Practice Areas

Bankruptcy & Creditors' Rights
Commercial Litigation
Health & Insurance Law

Education

Inter American Univ. School of Law, JD
Tufts University, BA
Saint John's School, HD

Bar Admissions

Commonwealth of Puerto Rico
District of Columbia
Commonwealth of Massachusetts
New York
U.S. Supreme Court
U.S. Court of Appeals for the First Circuit
U.S. Bankruptcy Appellate Panel for the First Circuit
U.S. Court of International Trade
U.S. District Court for the District of Puerto Rico
U.S. District Court for the District of Massachusetts
U.S. District Court for the Eastern District of Wisconsin
U.S. District Court for the Eastern District of Missouri
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Western District of Texas

Gustavo A. Chico-Barris is a Member with the firm's Bankruptcy & Creditors' Rights Practice Group, the Dispute Resolution Group/Commercial Litigation Division and the Insurance Practice Group. Before joining Ferraiuoli, he served as law clerk for Chief Judge Hon. Enrique S. Lamoutte at the U.S. Bankruptcy Court for the District of Puerto Rico. He was also a partner in a boutique law firm in Puerto Rico doing corporate counseling, real estate transactions, commercial litigation and insurance practice.

Gustavo focuses his legal practice in advising and representing creditors in all aspects of Bankruptcy, including judicial proceedings in Chapter 7, 11, 12 and 13 cases, and out-of-court financial transactions and restructuring. He has gained considerable negotiation skills and ample litigation experience before federal and state trial and appellate courts, agencies and arbitration forums, on creditors' rights and bankruptcy, commercial litigation, insurance regulation, claims under the Gramm-Leach-Bliley Act, real estate transactions, bond claims, insurance claim and fraud claims.

Gustavo is admitted practice law in the Commonwealth of Puerto Rico, District of Columbia, Commonwealth of Massachusetts and New York. He is also admitted to the U.S. Supreme Court, U.S. Court of Appeals for the First Circuit, U.S. Bankruptcy Appellate Panel for the First Circuit, U.S. Court of International Trade, U.S. District Court for the District of Puerto Rico, U.S. District Court for the District of Massachusetts, U.S. District Court for the Eastern District of Wisconsin; U.S. District Court for the Western District of Texas; and U.S. District Court for the Eastern District of Missouri; U.S. District Court for the Eastern District of Texas.

Gustavo serves an Adjunct Professor of bankruptcy with the University of

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Puerto Rico School of Law. Gustavo currently serves an Adjunct Professor of Bankruptcy Law with the University of Puerto Rico School of Law. As a bankruptcy practitioner, Gustavo excels at finding quick and practical solutions. His experience as a professor also allows him to be thorough and intricate in complex bankruptcy disputes and contested matters.

Representative Cases or Transactions

- In re Peña, 2016 Bankr. LEXIS 824, 2016 WL 1043736 (Bankr. D.P.R. 2016) (dismissal of Chapter 11 case for substantial or continuing loss and diminution of the estate).
- In re Acevedo Hernandez, 549 B.R. 551 (Bankr. D.P.R. 2016) (allowing for direct payments to secured creditors through a Chapter 12 Plan of Reorganization saving the expense of the trustee's fees).
- In re Oritz Colon, 2016 Bankr. LEXIS 2344, 2016 WL 3548821 (Bankr. D.P.R. 2016) (first case in the First Circuit declaring the impossibility of conversion from Chapter 12 to Chapter 11 under Section 1208(e) of the Bankruptcy Code and granting motion to dismiss).
- In re Martinez Santiago, 2015 Bankr. LEXIS 3438, 2015 WL 5919926 (Bankr. D.P.R. 2015) (conversion of a Chapter 11 to Chapter 7 for substantial or continuing loss and diminution of the estate).
- In re Meléndez-Quiñones, Meléndez-Quiñones v. CitiMortgage, Inc., 2015 Bankr. LEXIS 4374, 2015 WL 9590283 (Bankr. D.P.R. 2015) (granting a motion for joinder to declare an ex-spouse an indispensable party in a lien stripping adversary proceeding when the ex-spouse signed the loan documents and mortgage deed).
- LM Waste Service Corp. v. Municipio De Juana Diaz, ARB, Inc. (In re LM Waste Service Corp.), 562 B.R. 845 (Bankr. D.P.R. 2016) (dismissal of complaint based on permissive abstention upon finding that non-core issues predominated)
- Wicovitch v. Punta del Mar Beach Village (In re Compañía El Mueble, Inc.), Decision and Order, Adv. Proc. No. 11-00063 (SEK) Docket No. 17 (Bankr. D.P.R. 2011) (allowing a creditor to setoff a debt against the trustee via counterclaim in an adversary proceeding under the doctrine of recoupment).

Gustavo has served a panelist for the American Bankruptcy Institute (ABI), and as a keynote speaker for the Association of Insolvency & Plan of Reorganization Advisors (AIRA). In addition, he often lectures on varied bankruptcy topics to Puerto Rico CPAs.

Affiliations

- American Bar Association
- Federal Bar Association
- American Bankruptcy Institute

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Speaking Engagements

- PSpeaker, Chapter 13 Panel for the American Bankruptcy Institute (ABI) 2016 Caribbean Insolvency Symposium, San Juan, Puerto Rico
- Keynote Speaker, The Future of Puerto Rico for the 15th Annual Association of Insolvency & Plan of Reorganization Advisors (AIRA) 2016, New York

Publications

- “International Comparative Legal Guide to Corporate Recovery & Insolvency 2016 (Puerto Rico),” published by Global Legal Group Ltd., London