



Todd M. Brooks

PARTNER; CO-CHAIR OF BUSINESS SOLUTIONS, RESTRUCTURING
& FINANCIAL LITIGATION SECTION

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BIOGRAPHY

Co-Chair of the firm's Business Solutions practice group, Mr. Brooks is a litigator with a focus on complex business and commercial disputes, including proceedings arising out of insolvency and receivership cases. Mr. Brooks also serves on the firm's Executive Board, is a Managing Partner of the Baltimore Office, a Co-Chair of Whiteford's summer associate program, a Co-Chair of the firm's Pro Bono Committee, and oversees Whiteford's e-discovery team.

RECOGNITIONS

- *Chambers USA*, Bankruptcy/Restructuring, Maryland (2026)
- *Benchmark Litigation*, Maryland (2017-Present)
- *The Best Lawyers in America*,[®] Litigation - Bankruptcy (2024-Present), Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2026, 2027)

MEMBERSHIPS & ACTIVITIES

- Board Member: Greater Baltimore Committee

PRACTICES & INDUSTRIES

[Business Solutions, Restructuring
& Financial Litigation](#)

[Business Litigation](#)

[Special Counsel Litigation](#)

[Appellate Practice](#)

[E-Discovery](#)

[Creditors' Rights](#)

[Chapter 11 Reorganizations](#)

[Healthcare](#)

[Equine Law](#)

EDUCATION

University of Baltimore School of
Law, 2006, J.D.

St. Mary's College, 2003, B.A.

ADMISSIONS

U.S. Supreme Court

U.S. Court of Appeals: Second
Circuit

U.S. Court of Appeals: Fourth
Circuit

- Member: American Bar Association
- Member: Maryland State Bar Association
- Comments Editor: University of Baltimore Law Review (2005 - 2006)

CLERKSHIP

- Honorable James A. Kenney, III, Maryland Court of Special Appeals

BUSINESS AND COMMERCIAL DISPUTES

- Represented an internationally-renowned healthcare system in resolving disputes against a prominent healthcare insurer concerning nonpayment and underpayment of emergency department claims
- Represented investors in renewable energy companies in their successful defense of RICO and fraud claims brought in the Southern District of New York to recover in excess of \$100 million
- Counsel to health care providers in defense of claims brought in the District of Connecticut by major insurance companies to recover in excess of \$15 million in alleged reimbursement overpayments
- Represented large-scale travel company and its owners in their successful defense of RICO and fraud claims brought by a former owner in the Eastern District of California

SPECIAL COUNSEL SERVICES AND TRUSTEE/RECEIVER REPRESENTATIONS

- As counsel for a bankruptcy trustee in an adversary proceeding pending in the Delaware bankruptcy court, pursued and resolved claims to revoke the reorganized debtor's confirmation order based on material information withheld from the bankruptcy court, creditors and parties in interest
- In proceedings before the federal court in Virginia, represented a trustee in his complaint against one of the nation's largest healthcare claims administrators for breach of fiduciary duty in connection with a bankruptcy debtor's self-funded healthcare plan

U.S. Court of Appeals: Sixth Circuit

U.S. Court of Appeals: Ninth Circuit

U.S. District Court: District of Maryland

U.S. Bankruptcy Court: District of Maryland

Maryland

- As special litigation counsel for the court-appointed receiver in a case commenced by the Securities & Exchange Commission, obtained a \$10 million recovery on accounting malpractice claims arising out of public bond offerings for senior living facilities
- In proceedings before the Virginia bankruptcy court (Eastern District), represented a chapter 11 trustee as special litigation counsel in the prosecution of avoidance actions to recover tens of millions of dollars of fraudulent and preferential transfers in connection with a fraudulent mortgage scheme

BUSINESS REORGANIZATIONS AND INSOLVENCY LITIGATION

- Representation of local council units of the Boy Scouts of America in the BSA's reorganization proceedings pending before the Delaware bankruptcy court
- Co-counsel to several defendants in a lender-liability action before the Maryland bankruptcy court, involving a chapter 11 trustee's lawsuit to recover over \$1 billion dollars from major lending institutions
- Debtor's counsel to a luxury home builder in a voluntary chapter 11 case before the Maryland bankruptcy court
- Debtor's counsel to a Maryland and Virginia real estate developer in a voluntary chapter 11 case before the Maryland bankruptcy court

CREDITORS' RIGHTS

- Represented a judgment creditor in Maryland state court to successfully petition for the appointment of a receiver to take control over the operations and assets of an insolvent real estate developer
- Counsel to freight-carrier defendants before the New Jersey bankruptcy court, in cases brought by a trustee to recover payments made to the carriers in connection with an alleged Ponzi scheme
- Counsel to a Maryland bank before the Illinois bankruptcy court (Northern District), involving a plan administrator's action to recover pre-bankruptcy payments made to the bank in connection with an alleged fraudulent equipment leasing scheme

- In the Delaware bankruptcy court, counsel to creditors seeking the allowance of an administrative expense claim against the debtor for its use of licensed trademarks in connection with the debtor's operation of a horse racetrack and two off-track wagering facilities in Indiana

APPELLATE PRACTICE

Mr. Brooks has extensive experience in federal and state appeals on a wide range of issues, including in *pro bono* matters. Prior to joining Whiteford, Mr. Brooks was a Maryland appellate clerk for The Honorable James A. Kenney, III. Representative cases include:

- In *6525 Belcrest Road, LLC v. Dewey, L.C.*, 2026 WL 1330807 (2d Cir. May 12, 2026), Mr. Brooks successfully defended an appeal from a bankruptcy court's order, in favor of Whiteford's client, approving a \$2.4 million claim for lease-rejection damages under the Bankruptcy Code
- In *Havtech Parts Division, LLC v. Advanced Thermal Solutions, LLC*, 2020 WL 6624931 (Md. App. Nov. 12, 2020), an appellate team led by Mr. Brooks persuaded Maryland's intermediate appellate court to affirm the dismissal of claims, seeking in excess of \$20 million against Whiteford's client, on the ground that those claims were barred by res judicata
- In *Lewis v. State*, 470 Md. 1, 233 A.3d 86 (2020), Mr. Brooks obtained a ruling from the Supreme Court of Maryland that law enforcement officers cannot search or arrest an individual based solely on the odor of marijuana
- In *State v. Baker*, 453 Md. 32, 160 A.3d 559 (2017), Mr. Brooks persuaded the Supreme Court of Maryland that "double jeopardy" prevented prosecutors from pursuing a second trial against Whiteford's *pro bono* client
- In *Han v. Yancey (In re Kang)*, 2016 WL 6958438 (4th Cir. Nov. 29, 2016), the Fourth Circuit affirmed a multi-million-dollar judgment obtained by Whiteford's client, a chapter 11 bankruptcy trustee, against a recipient of the debtor's assets

- In *State v. Hunt*, 443 Md. 238, 116 A.3d 477 (2015), Mr. Brooks convinced the Supreme Court of Maryland that his client was entitled to a hearing to present newly-discovered evidence that would potentially exonerate him
- In *United States v. Garcia*, 752 F.3d 382 (4th Cir. 2014), Mr. Brooks persuaded the Fourth Circuit to reverse the defendant's convictions based upon the government's unlawful admission of evidence supplied by a "code words" expert