



**Thomas H. Curran**  
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## How to recover debt and assets in the most complex and high-stakes cases.

**By the time the walls of Ireland’s famous Walford home were coming down,** creditors and the Bankruptcy Trustee had already been in court for over ten years seeking to recover assets owed to them by the property’s predecessor. “The owner filed bankruptcy in the U.S. and attempted to protect 100 million euros of assets by transferring them to his wife in Ireland, Switzerland, South Africa, the UK and the United States, making this an international cross border matter,” says Thomas H. Curran, managing partner of Curran Antonelli, who represents the claimants, Chapter 7 Bankruptcy Trustee Richard M. Coan in the bankruptcy case commenced by the former prominent Irish real estate developer Sean Dunne.

After the collapse of the Irish real estate market, Dunne and Killilea moved to Greenwich, Connecticut leaving Dunne’s Irish lenders and other creditors with almost one billion Euro in debt. After the Irish bank restructuring agency known as NAMA commenced suit against Dunne and Killilea in Connecticut state court, Dunne filed for bankruptcy in early 2013. The Trustee’s avoidance and recovery action soon followed, and Trustee Coan engaged Curran Antonelli as his special counsel.

Under daily scrutiny by the press, Curran went toe-to-toe with several other law firms for years as he and his team skillfully argued cases in United States Federal Courts, the High Courts of Ireland, England & South Africa as well as multiple lower courts in varied jurisdictions. When the dust settled, his client received a favorable outcome: a \$21+ million jury verdict.

“Walking away with a win in court or in arbitration is only part of the

battle,” says Curran. “In high-stakes, complex cases such as this one, enforcing rights and recovering the assets is equally challenging. It demands tenacity and creativity to fully explore the business and financial affairs of debtors, their constellation of companies, and their insiders.”

On February 8, 2022, the United States District Court for the District of Connecticut (Meyer, J.) enter its Order denying defendant Gayle Killilea’s post-trial motions seeking a directed verdict or new trial in the fraudulent transfer action brought against her after extensive briefing and oral argument in the Fall of 2021 following the Court’s entry of final Judgment in July 2021.

The jury entered its verdict after a more than four-week trial conducted in New Haven in which the jury also voided as fraudulent, multiple transfers of millions of Euro made by Dunne to Killilea’s Swiss bank account and other monies and real properties under Irish, US bankruptcy and Connecticut law. The Court’s Order disposes of the last remaining trial court challenges to the Jury Verdict. The Court already denied the Debtor Sean Dunne’s similar post-trial motions in July 2021 on similar grounds. In addition to the post-trial Order, the Court also entered an Order modifying its interim stay pending appeal of the Judgment to the Second Circuit. Under the Court’s Order, Killilea was required to post an additional amount of approximately \$5.6 million dollars in security, market and sell a home in Greenwich built by Dunne and Killilea worth approximately \$4 million dollars, terminate the mortgages granted to Killilea’s offshore insider entity that encumbered the property, and to turn over monies held in escrow

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in another bankruptcy case pending in Connecticut. Significantly, the Court also ordered the turnover of the proceeds of the Walford sale to the Trustee, amounting to more than \$12.5 million dollars. In its Order, the Court largely adopted the Trustee’s positions on imposing stay conditions, which followed extensive briefing and oral argument in autumn 2021 by Curran Antonelli. The Court previously awarded in excess of 1.4 million Euro in pre-judgment interest to the Trustee following extensive briefing and oral argument by Curran Antonelli in 2021. The Trustee now has full security for his Judgment pending appeal. The Court’s recent Orders represent a resounding victory by Curran Antonelli for its client, Trustee Coan, in a highly complex cross-border avoidance action initiated in 2015 in which Curran Antonelli has doggedly pursued the Debtor and Killilea for the benefit of the Estate. Curran Antonelli will represent the Trustee as appellate counsel in the Second Circuit Court of Appeals.

### Handling Insolvency

Thomas Curran and Peter Antonelli founded the firm in 2016 as an alternative to large law firm practices, leaving behind the cumbersome pace and often times unyielding red tape of the mega-firms while still offering the same level of sophisticated legal service in the areas of litigation, bankruptcy, and debt & asset recovery.

With 50 years combined experience in insolvency matters themselves, they have added talented attorneys with diverse backgrounds in bankruptcy and creditors’ rights, employment, real estate, litigation and corporate governance. The firm now has seven offices, including the newest in Austin, Texas.

Curran Antonelli is preeminent in all bankruptcy, insolvency and asset recovery matters, including cross border insolvency. “We represent all matters of claimants as well as defendants. There’s no type of insolvency or asset recovery matter we haven’t already handled,” says Curran. As a boutique firm, Curran Antonelli can move quickly without the necessary delays larger firms encounter. “We work with our outstanding team located throughout the country and our IR Global colleagues in the UK and across the globe, to deliver the timely and effective results demanded by our clients” says Curran.

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Curran Antonelli is an indispensable resource for corporate, multi-jurisdictional organizations, entrepreneurs, investment partnerships, private equity funds, and venture capital. “The years we’ve spent arguing before judges and arbitrators, and doggedly chasing down assets, have given us the insights to help clients successfully navigate bankruptcy and high stakes litigation with an eye towards successful asset recovery,” adds Curran. “When we can engage with clients early, we have the best chance of a successful outcome.”

**Thomas Curran** has developed his practice over the past four decades, focusing primarily on bankruptcy and insolvency proceedings and debt & asset recovery. He assists clients in navigating in asset recovery, assignments for the benefit of creditors, foreclosures, repossessions, and the sale of distressed assets and businesses.

He has extensive experience in all facets of cross-border insolvency litigation and cross-border debt & asset recovery strategies in an insolvency scenario, with particular emphasis on United States/Western Europe jurisdictions.

He has cultivated extensive knowledge and skill in commercial and complex business litigation including asset location & recovery, veil piercings, corporate officer and director liability, successor liability, fraudulent conveyance and transfer litigation and constructive trust litigation. He also has significant experience representing financial institutions in workouts and foreclosures of all types of assets including aircraft and related international equipment and has repossessed aircraft and vessels in various states throughout the United States.

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**With offices in** Austin, Boston, Fort Lauderdale, London, New York, Stamford and Tampa, Curran Antonelli represents a wide variety of clientele in litigation and transactional matters throughout the United States and Western Europe. We have navigated a broad range of commercial litigation cases, including debt and asset recovery, cross-border insolvency, institutional creditors’ rights, and ‘bet the company’ litigation, and have earned a winning track record throughout the United States.

Our group has a unique speciality in counselling on financing, buying and selling, and investing in distressed assets. We assist domestic and foreign firms with these complex transactions from a debt and asset recovery perspective.

With our innovative and aggressive approach to complex litigation and asset recovery challenges, we consistently and effectively deliver unparalleled value to our clients. Our reputation for reliable counsel and consistent results is what continually drives clients back to Curran Antonelli for all their litigation, business, and corporate legal needs.