



# Bankruptcy & Insolvency

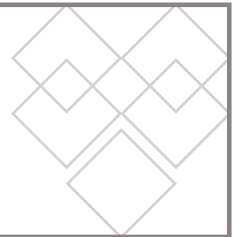
## 2025



PROFILED:

**BRETT MILLER**

Willkie Farr & Gallagher LLP



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## Bankruptcy & Insolvency



### BRETT MILLER

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### PERSONAL BIOGRAPHY

**Brett Miller** is US co-chair of Willkie's restructuring department. His clients include official and ad hoc creditors' committees, bank groups, individual lenders, court-appointed fiduciaries, debtors and investors that focus on distressed situations. He advises on Chapter 11 cases, out of court restructurings, bankruptcy-related acquisitions, cross-border insolvency matters, bankruptcy-related litigation and insolvency-sensitive transactions. He has represented parties in restructurings in industries such as real estate, transportation, retail, manufacturing, food service, oil and gas, and media. He is a fellow of the American College of Bankruptcy, which comprises leading practitioners, judges and academics in the field of insolvency law.

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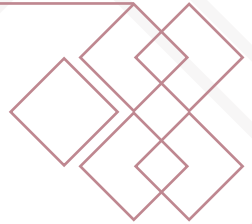


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### Q&A WITH BRETT MILLER



#### **What challenges have you faced in your career, and how have you overcome them? What lessons did you learn from these experiences?**

◆ I began my career in 1991, at bankruptcy boutique Otterbourg, which was a leader in representing creditors' committees. We were never slow as there was a constant stream of cases and plenty of opportunities. I was encouraged as an associate to pitch cases by myself and was quite successful. But leading up to the 2008 financial crisis, things started to change. Big firms were moving into the market, including their corporate and tax services in the pitches, which bankruptcy boutiques could not match. It became painfully clear that I needed to make a move to compete for the big cases. So after 16 years, I made a move to Morrison Foerster, which kept me in the game. Four years ago I moved to Willkie after 13 years at Morrison Foerster for a stronger New York-based corporate platform. Again, I saw the landscape changing and knew it was time to move. The business of law, like the practice of law, is fluid and you can never rest on your laurels.

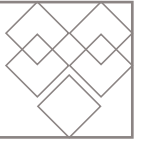
#### **How do you mentor and inspire younger colleagues within your firm? Can you share a success story of someone you have guided?**

◆ I have spent my career giving opportunities to young lawyers. I bring them to meetings and court and let them get acclimated to the practice. The next step is to encourage them to speak in meetings and court in order to develop their skills. I guide them through how to interact with clients. If they know I trust them, it gives them the confidence to succeed. It does not always go according to plan, but when it does, it is magical. For example, the day after I won the most important pitch of my career I called a new lawyer I had hired out of law school who was not supposed to join us for

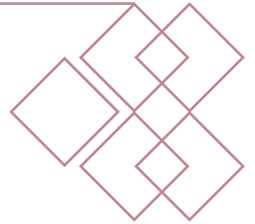


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another month. I told him that it would be a great opportunity to come aboard at the beginning of the new case. He enthusiastically agreed and so began a 23-year mentorship, friendship and partnership. He has moved firms with me twice and I now enjoy watching him mentor associates.



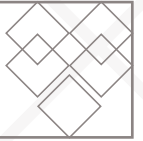
### Could you describe your approach to tackling complex legal challenges? What profiles or philosophies guide your work?

◆ Knowledge is power. At the outset of every engagement I consume as much information regarding the case as I can. Besides looking at the factual and legal issues, I like to get a sense of all the parties involved. Aristophanes said: “Men of sense often learn from their enemies.” What cases have my adversaries been in and how did those matters end? When we inevitably end up in settlement negotiations, it is an advantage to understand what my adversary likely needs to achieve from the settlement. Further, honesty is important, though having a good poker face is not a bad trait. These guiding principles have served me well during my career. ■

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IT IS AN ADVANTAGE TO UNDERSTAND WHAT MY ADVERSARY  
LIKELY NEEDS TO ACHIEVE FROM THE SETTLEMENT.”**

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## REPRESENTATIVE ENGAGEMENTS

- ◆ Led a cross-border team in the successful representation of the official committee of unsecured creditors in the Chapter 11 restructuring of SAS AB, Scandinavia's leading airline, and its affiliated debtors, and ongoing representation of a general unsecured claims trust.
- ◆ Lead counsel to the official committee of unsecured creditors committee in the Chapter 11 cases of Gol Linhas Aereas, one of Brazil's largest domestic airlines, in the Southern District of New York Bankruptcy Court.
- ◆ Lead counsel to the official committee of unsecured creditors in the Chapter 11 cases of WOM S.A., one of Chile's largest telecommunications providers.
- ◆ Represented the official committee of unsecured creditors in the highly successful Chapter 11 cases of Vertex Energy Inc., a leading energy transition company.
- ◆ Counsel to the official committee of unsecured creditors in the Chapter 11 cases of New Rite Aid, one of the largest pharmacy chains in the country, pending in New Jersey.

