



## Brett Wiltsey

PARTNER

856.857.1435

brett.wiltsey@obermayer.com

LOCATED IN

Mount Laurel, NJ Philadelphia, PA

### MEET BRETT

*"I see the "big picture" and enjoy diving deep into issues to find the most efficient response. I love solving problems."*

— Brett Wiltsey

Brett concentrates his practice in general corporate, business transactions, real estate, and financing matters. He represents clients in the following three areas:

1. **General Counsel to growing and emerging companies.** In this role, Brett advises clients on all issues they face. For example, issues that arise concerning confidential and internal HR, prosecuting or defending litigation, and developing growth strategies that include a combination of M&A transactions, employee retention programs, and obtaining capital/equity to accelerate the growth strategy.
2. **Financial institutions.** Brett has extensive experience in representing financial institutions in loan documentation, defending litigation under the UCC, and troubled loan workouts. His multi-faceted practice allows him to resolve these issues creatively and efficiently.
3. **Real estate, land use, and governmental representations.** Brett represents private clients seeking to develop sites throughout southern New Jersey. In this capacity, he assists in the selection of development sites, negotiates the acquisition documents, obtains financing (equity, traditional lending, and through government grant and support programs), and finally shepherding the client through the land use approval process. Municipalities have recognized Brett's talent and have retained him to represent them as special development counsel to assist in the negotiating and drafting of PILOT agreements as well as conducting due diligence on the developers and their proposed projects.

Brett enjoys solving problems, which is what motivated him to become a lawyer. As a former collegiate athlete (he played both basketball and baseball), Brett likes to stay active and plays golf with friends and clients, which also satisfies his competitive side. In addition, Brett coaches his children's youth sports teams.

When not focusing on work or sports, Brett enjoys spending time with his family and reading (re-

reading) non-fiction analysis of World War II from as many perspectives as he can. He finds it a fascinating time in our history that provides opportunities to better understand how human tendencies/failures can educate us to make better decisions.

## EXPERIENCE

Brett has experience in representing clients with regard to litigation, real estate development, New Jersey tax credits. His experience in advising clients in financial incentives and government relations includes guidance to regional and national financial institutions in litigation concerning Articles 3, 4 and 4A of the Uniform Commercial Code, Federal Regulation E, consumer fraud, fraudulent endorsements and similar litigation matters, as well as workout, bankruptcy, and the drafting of loan and loan modification documents.

Some of Brett's more notable cases include:

- Represented a large athletic organization in major financing round and company expansion plan
- Represented a large financial institution in a multi-million-dollar work-out with regard to a large regional developer.
- Counseled national corporations defending them in class action and consumer fraud claims.
- Represented a large financial institution in the sale of a multi-million-dollar hotel through a third-party plan filed by the institution in bankruptcy proceeding.
- Represented multiple contractors in defense of preference actions brought by the Bankruptcy Trustee in the Kara Homes, Inc. bankruptcy case.
- Represented a financial institution in prosecuting fraudulent endorsement claims.
- Represented clients in the purchase and sale of real estate and liquor license.
- Represented general contractor in negotiating contract to build an \$8 million hotel and, after the owners defaulted, negotiated with the lenders to ensure financing was available to complete project to ensure client's contract was satisfied in full.
- Acted as development/redevelopment counsel to both private and public entities which has resulted in the development of over a billion dollars of residential, commercial and mixed-use projects.

## NEWS & INSIGHTS

**From The Philadelphia Business Journal: Dilworth co-COO moves to Obermayer to lead South Jersey expansion**

July 09, 2021 by Brett Wiltsey, Mathieu J. Shapiro

**From The Legal Intelligencer: Dilworth Paxson Loses Co-Chief Operating Officer to Obermayer**

July 09, 2021 by Brett Wiltsey, Terry Mutchler

## ACTIVITIES & HONORS

Brett was repeatedly named "Top Attorney" by SJ Magazine. His professional and community activities include:

- General Counsel and Member of the Board of Trustees, The Southern New Jersey Development Council
- Chairman, Collingswood Democratic Committee
- Trustee, Camden County College, Chair Business Affairs Committee and Treasurer to the Board

- Member, Advisory Committee, Widener University School of Business Administration
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## EDUCATION

Seton Hall School of Law, J.D.

Widener University, B.A.

## ADMISSIONS

New Jersey

Pennsylvania

United States District Court District of New Jersey

Supreme Court New Jersey

United States District Court Eastern District of Pennsylvania

Supreme Court Pennsylvania

United States District Court Middle District of Pennsylvania

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## CAPABILITIES

### Litigation

Appellate  
Commercial Litigation  
Construction Litigation  
Environmental  
Insurance  
Trade Secrets

### Bankruptcy & Business Reorganizations

Asset Acquisition  
Creditor Committee Representation  
Creditors' Rights  
Debt Counseling  
Debtor Representation  
Lender Liability & Workouts

### Business & Finance

Banking  
Corporate  
Intellectual Property  
Lender Liability & Workouts  
Municipal Services  
Real Estate  
Zoning & Land Use

### Trusts & Estates

Business Succession Planning  
Charitable Giving  
Estate Planning & Asset Protection  
Fiduciary Litigation

Trust & Estate Administration

### Labor & Employment

Counseling, Compliance & Training  
Employment Litigation  
Employment-Related Agreements  
Executive Compensation & Employee Benefits  
Internal Investigations  
Labor Arbitration  
Traditional Labor Relations & Collective Bargaining  
Wage & Hour

### Government & Public Policy

Election Law  
Government Relations

### Industry Focus

Financial Services  
Health Care  
Individuals & Private Clients  
International Businesses  
Local Governments & Municipal Authorities  
Nonprofit Organizations  
Real Estate & Construction  
Universities & Secondary Schools