WALTER | HAVERFIELD
Attorneys At Law

DOUGLAS M. EPPLER

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Best Lawyers
ONES TO WATCH
DOUGLAS M. EPPLER 2022

SERVICES

Litigation

Trust and Estate Litigation

Creditors' Rights Enforcement

EDUCATION

The Ohio State University Moritz College of Law, J.D., 2010, *cum laude*

Syracuse University, B.A., 2006

LICENSED TO PRACTICE

Ohio

U.S. Bankruptcy Court, Northern District of Ohio

U.S. District Court, Northern District of Ohio

OVERVIEW

Doug is a member of Walter | Haverfield's Litigation Services group, with a focus on creditors' rights enforcement, commercial litigation, and trust and estate litigation. He regularly represents commercial lenders in creditors' rights and bankruptcy litigation. In addition, he represents clients in business litigation arising in a variety of contexts. His trust and estate litigation experience includes active participation in all phases of these cases, including during bench and jury trials.

EXPERIENCE

CREDITORS' RIGHTS LITIGATION

- Regularly represents creditors in all aspects of litigation involving enforcement and collection of commercial debts and security interests, including suits seeking to reduce promissory notes and guaranties to money judgments, foreclosures, replevins, creditor's bills, charging orders, motions for the appointment of a receiver, and motions for orders of immediate possession.
- Represents secured lenders in filing motions for relief from stay and abandonment of collateral, objecting to confirmation of plans and other contested matters in bankruptcy court.
- Represents receivers in collection actions, including filing reports and motions to sell assets.
- Represents landlords in commercial lease disputes, including forcible entry and detainer actions, and asserting and protecting landlords' interests in bankruptcy court.

COMMERCIAL LITIGATION

- Regularly drafts and files pleadings and motions, including motions to dismiss and motions for summary judgment, and participates in all aspects of discovery, including taking and defending depositions.
- Drafted the successful brief in an appellate action in which the Court of Appeals of Ohio, Eighth District, affirmed summary judgment in favor of the defendant, a bank, on a customer's trespass and conversion claims arising from the bank's alleged misconduct in securing mortgaged property.
- Drafted the successful brief in an appellate action in which the Court of Appeals of Ohio, Eighth District, affirmed an order granting a bank's motion for appointment of a receiver.
- Drafted a successful Motion to Dismiss a Complaint in federal district court on *res judicata* grounds.
- Drafted a successful motion to dismiss all claims against the spouse of a commercial lease guarantor, against whom the opposing plaintiff, a commercial landlord, had asserted claims under Ohio's Uniform Fraudulent Transfer Act.

TRUST AND ESTATE LITIGATION

- Served as second-chair in a three-day bench trial in probate court that resulted in a favorable judgment for the client on her breach of trust claim. Participation included all aspects of trial preparation, the cross-examination of witnesses and the preparation of a written closing argument and proposed findings of fact and conclusions of law that the Court adopted in full.
- Served as second-chair in a jury trial advocating for the rights of a surviving spouse who had been deprived of payments due under a prenuptial agreement. Participation included cross examination of witnesses and a successful oral argument against the Defendant's motion for directed verdict on the sixth day of trial; the case settled the day after the Court's denial of the motion for directed verdict.

RECOGNITION

- 2022 – Douglas M. Eppler received a 2022 Best Lawyers: Ones to Watch recognition for Commercial Litigation, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law.

RECENT ARTICLES

- Alleged Defamation Arising from Form U-5s
- The Uniform Directed Trust Act Should Cover A Trust Director's Power To Remove The Trustee

ASSOCIATIONS

- Cleveland Metropolitan Bar Association
- Ohio State Bar Association