

## Monique Jewett-Brewster

Associate

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- **Industries**

- Banking & Financial Services
- Industrial & Manufacturing
- Retail
- Technology

- **Services**

- Bankruptcy
- Financial Institutions & Creditors' Rights
- Litigation
- Real Estate

## Overview

Monique Jewett-Brewster is a member of Hopkins & Carley's Litigation Department and Financial Institutions and Creditors' Rights Practice Group in the San Jose office, with a primary focus on representing secured and unsecured creditors in the restructuring and enforcement of complex loan transactions in state, district, appellate and bankruptcy courts nationwide.

With more than fifteen years of experience, Monique represents creditors in business bankruptcies and in all other aspects of insolvency law. Her clients include:

- Financial institutions
- Mortgage lenders
- Credit unions
- Factors
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Equipment leasing companies

- Commercial landlords and tenants
- Receivers and trustees
- Asset purchasers

She also counsels the City of Oakland in its bankruptcy matters.

During law school, Monique completed two externships in the chambers of three Bankruptcy Judges in the Central District of California: the Hon. Alan M. Ahart (ret.), the Hon. Ellen Carroll (ret.) and Kathleen P. March. Monique also completed a two-year post-graduate clerkship in the chambers of the Hon. Meredith A. Jury, Bankruptcy Judge for the Central District of California.

In 2012, Monique was chosen as one of only five national recipients of the Honorable Cornelius Blackshear Presidential Fellowship awarded by the National Conference of Bankruptcy Judges to outstanding minority attorneys practicing in the field of bankruptcy law.

## Experience

- Represented successful purchaser of Chapter 11 debtor's packing machinery business unit and related assets free and clear of liens in a competitive auction, and subsequently documented and facilitated time sensitive sale closing.
- Facilitated judicial and non-judicial foreclosure proceedings of real property collateral located in five different states for credit union client, resulting in payoff of all five loans in full.
- Drafted all transactional documents required to modify a multi-million dollar tax-exempt loan issued by state municipal authority.
- Represented receiver client in successfully selling real property of the receivership estate pursuant to a charging lien in order to partially carry judgment into effect.
- Advocated for multiple creditor clients by defending preference and fraudulent conveyance actions, negotiating the proposed use of cash collateral, and prosecuting proofs of claims.
- Represented multiple commercial landlord and tenant clients by objecting to, or facilitating, the assumption and assignment of executory contracts and unexpired leases.

## Insights

### Selected Publications

- "Bankruptcy Impact on Title & Sales," Continuing Education of the Bar – California (CEB), Real Property Ownership and Taxation, February 2017

- *JPMCC 2007–C1 Grasslawn Lodging, LLC v. Transwest Resort Props. Inc. (In re Transwest Resort Props., Inc.)*, Bankruptcy e-Bulletin, Insolvency Law Committee, State Bar of California, Business Law Section, March 2016
- *Frealy v. Reynolds (In re Reynolds)*, Bankruptcy e-Bulletin, Insolvency Law Committee, State Bar of California, Business Law Section, November 2015
- *Stern v. Marshall: The End of Bankruptcy Courts As We Know Them, or Just a Minor Correction to the Bankruptcy Code?* Business Law News, Business Law Section of the State Bar of California, Co-author, December 2012
- “An Introduction to California Receivership Law,” Continuing Education of the Bar – California (CEB), California Business Law Practitioner, Co-author, August 2010
- “Chapter 11 Petition Filed Before Expiration of Holdover, At-Will Tenancy Constitutes ‘Bad Faith’ Filing,” Pratt’s Journal of Bankruptcy Law, March 2008

## Selected Speaking Engagements

- “Recent California Appellate Cases That Affect Real Estate Lenders,” State Bar of California, Business Law Section, July 2017
- “Preparing for a Downturn: What Commercial Landlords and Tenants Should Know About Bankruptcy,” Association of Corporate Counsel, Bay Area Chapter, April 2016
- “How the Automatic Stay Can Disrupt, If Not Destroy, Your Litigation Strategy: What Every Litigator Needs to Know About the Scope of the Automatic Stay,” State Bar of California, Business Law Section, December 2015
- “*Much Ado About Nothing?* Lien Stripping in Chapter 7 Bankruptcy and the Supreme Court’s *Caulkett* Decision,” Bar Association of San Francisco, Commercial Law and Bankruptcy Section, July 2015
- “Maximizing the Value of Intellectual Property in Bankruptcy,” Association of Corporate Counsel, Bay Area Chapter, June 2015
- “Hot Topics in Commercial and Real Estate Lending,” California Bankers Association, Bank Counsel Seminar, May 2015

## Professional Activities

- California Minority Counsel Program, Ambassadors Council Member
- California Lawyers Association, Business Law Section, Chair, Executive Committee, 2018-19
- California Lawyers Association, Business Law Section, Diversity Committee and Standing Committee Coordinator, 2016-2017
- State Bar of California, Business Law Section, Publications, Vice Chair, 2017-2018
- National Coalition of 100 Black Women, Silicon Valley Chapter, Former Public Policy Committee Member
- State Bar of California, Business Law Section, Executive Committee, 2015 Present
- State Bar of California, Business Law Section, Insolvency Law Committee, Co chair, 2014-2015, Co vice chair, 2013-2014, eBulletin Editor-in-Chief, 2012-2013
- Black Women Lawyers of Northern California, Past Treasurer and Board Member
- United States Bankruptcy Court for the Northern District of California, Bench-Bar Liaison Committee, 2011-2014
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California Bankruptcy Forum Conference, Young Insolvency Professional Program Co chair, 2013

- Bay Area Bankruptcy Forum, Board of Directors, 2008-2011
- Financial Women of San Francisco, former Secretary and Chair of Scholarship Committee

## Bar Admissions

- State Bar of California (2001)

## Court Admissions

- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California
- U.S. Bankruptcy Court for the Northern District of California
- U.S. Bankruptcy Court for the Eastern District of California
- U.S. Bankruptcy Court for the Central District of California
- U.S. Bankruptcy Court for the Southern District of California

## Education

- J.D., University of Southern California School of Law
- B.A., Politics (minor in Japanese), University of San Francisco