

## Counsel

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## Practice Areas

- Bankruptcy, Reorganization & Creditors' Rights
- Litigation

## Education

- Yale Law School (J.D., 1985)
- University of California, Berkeley (B.A., 1982), Phi Beta Kappa



## Evan C. Borges

Evan Borges is counsel in the Newport Beach office of Irell & Manella LLP. Mr. Borges focuses his practice in the areas of bankruptcy, debtor-creditor relations, and complex business litigation.

Mr. Borges received his B.A. from the University of California, Berkeley in 1982, where he graduated Phi Beta Kappa. Mr. Borges received his J.D. from Yale Law School in 1985. Between 1985 and 1986, Mr. Borges served as law clerk to the Honorable Juan R. Torruella of the United States Court of Appeals for the First Circuit.

Mr. Borges dedicates his practice to bankruptcy litigation on behalf of debtors-in-possession, trustees, and creditors in bankruptcy cases pending in California and throughout the United States. Mr. Borges also represents corporate and individual clients in complex business litigation matters. Mr. Borges has represented clients in a broad range of industries, including financial institutions, real estate, entertainment, manufacturing, computer software and high technology. In recent years, Mr. Borges has focused his practice on bankruptcy litigation involving class action, director and officer liability, fraud, unfair business practices, lender liability, fraudulent conveyance, preference, and other claims arising under the bankruptcy laws. Mr. Borges has extensive experience working with and at times opposing state and federal regulatory and enforcement agencies, including the FDIC, the Federal Trade Commission, the SEC, the Department of Justice and state attorneys general. Mr. Borges has tried notable cases to judgment, including a punitive damages award on behalf of the plaintiff in a securities fraud jury trial as well as substantial recoveries after trial for a bankruptcy trustee in one of the largest real estate syndication fraud cases in the United States.

In conjunction with the FDIC, Mr. Borges was one of a group of private sector attorneys who supervised and managed litigation, bankruptcy work, prosecution of claims and sales of assets arising out of the failure of American Savings and Loan Association, the

## **Evan C. Borges** (continued)

largest savings and loan to have failed in United States history. Recently, Mr. Borges served as lead litigation counsel in the bankruptcy case of First Alliance Mortgage Company, a publicly traded national mortgage lender. First Alliance, its officers and directors and other third parties were sued in a multiplicity of actions by class action plaintiffs, private attorney generals, individual plaintiffs, the Federal Trade Commission and various state attorneys' general. After significant litigation, through a consensual plan of reorganization and class action settlement, the First Alliance case was concluded in a manner that provides a template for the resolution of mass tort claims against corporations, their officers and directors, and third parties. Mr. Borges also served as lead litigation counsel for the reorganized debtor, Peregrine Systems, Inc., a publicly traded computer software company, in connection with significant litigation and claims relating to its Chapter 11 plan. Mr. Borges also maintains an active state court litigation practice, and recently obtained defense judgments, including awards of attorneys' fees, on behalf of corporate and individual clients who had been sued on alleged multi-million dollar lender liability claims.

Mr. Borges has dedicated a substantial portion of his practice to pro bono work, including representation of indigent clients in state court actions as well as in obtaining restitution from the State Bar of California Client Restitution Fund based on fraud committed by their attorneys.

Mr. Borges was selected for inclusion in Southern California "Super Lawyers" by *Los Angeles Magazine* in 2006.

Mr. Borges is a former competitive sailor who has represented the United States in international competitions. He is married to Suzanne Borges and has three children, Lauren, age 20; Max, age 12; and Nikki, age 5.

### **Bar & Court Admissions**

- 1987, California
- U.S. District Court, Central and Southern Districts of California; U.S. Court of Appeals, Ninth Circuit