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Employment Litigation Restructuring Lessons

By David J. Kozlowski and Keith A. Markel

When *Society Pass Inc.* (Bankr. S.D. Tex. Case No. 26-90525) filed for Chapter 11 bankruptcy protection in the Southern District of Texas in May 2026, the immediate catalyst was a single $11.85 million judgment entered by a New York state court a month earlier. The judgment arose not from a lender, trade creditor, or failed acquisition, but from a dispute with a former employee. The type of employment-related dispute that companies view as a routine personnel matter to be managed by human resources and employment counsel. Yet the dispute ultimately generated a liability large enough to force the Nasdaq-listed company into bankruptcy.

For many companies, employment litigation sits in a separate silo from

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The Pandemic-Era Firm That Thrived

By Christopher Patalinghug

In early 2021, at the height of the COVID-19 pandemic, Andrew Glenn and a group of longtime colleagues made a bold decision: they left Kasowitz Benson Torres to launch their own firm. "The timing was right, so we made the leap," Mr. Glenn recalls. "My practice was taking off, and the COVID-19 pandemic actually created a unique window of opportunity rather than an obstacle." Five years later, the firm has grown to roughly 40 lawyers with offices in New York and San Francisco, with expanding cross-border capabilities, and a reputation for changing outcomes in high-stakes restructurings. In an interview with Turnarounds & Workouts, Mr. Glenn reflected on the journey, the firm's culture, its biggest mandates, and its strategy for the future.

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Perfect Timing

What could have been a risky move turned out to be perfectly timed. By operating virtually from the start, the new firm avoided the biggest early hurdle—signing a costly office lease. "The biggest impediment to starting a law firm is typically the first lease, but because we were already operating in a virtual environment, we were able to sidestep that strategic and financial commitment entirely. That meant we could launch with immediate scalability because we could add lawyers without worrying about office space," according to Mr. Glenn.

The result? "We have been profitable from day one, which validated our decision to launch our own firm," he says.

Foundation of Trust

The firm's foundation rests on deep, long-standing relationships. Many founding partners had worked together for 10–20 years.

"A personal partnership makes a business partnership exponentially stronger," Mr. Glenn emphasizes. "Trust is the true foundation of this firm. The friendship among the founding partners has allowed us to weather the inevitable ups and downs of a startup in a way I don't think a group of strangers could."

They knew each other's strengths—some were natural business generators, others excelled as litigators or leaders—and their substantive skills in bankruptcy and litigation were highly complementary. This mutual faith created a long-term commitment: everyone was in it together, regardless of immediate success. That ethos shaped recruitment and operations from the start. New partners, associates, and staff must be talented and hardworking, but also embrace the collaborative approach.

"We knew we were going to work hard together for the long term, and that even if we weren't successful immediately, no one was going to walk away. As it turned out, we found our footing quickly and our growth has been phenomenal," he continues.

Andrew Glenn
Managing Partner
Glenn Agre Bergman
& Fuentes

Navigating Early Challenges

Transitioning from Big Law to a startup boutique brought hurdles, particularly in associate recruitment. While the firm started with known talent, scaling required persuading top Big Law associates to join an unproven platform. They succeeded more often than not.

"The lateral associate candidates we attract are among the best that Big Law has to offer," Mr. Glenn notes.

Partnership agreements were put in place, but Mr. Glenn emphasizes that trust matters more than any contract. "You can have the best partnership agreement in the world, and if the people involved don't live up to the spirit of it, the negative consequences will outweigh any legal protections."

The biggest ongoing operational challenge has been "responsible growth." Restructuring work is volatile. Unlike a 500-lawyer firm that can throw dozens of associates at a large case, a boutique must carefully calibrate staffing and overhead.

"We staff leanly but perform at a high productivity level because everyone here understands that we succeed or fail together, and that meeting client needs is always our priority," Mr. Glenn explains.

Changing Outcomes in Major Mandates

Glenn Agre has built its reputation through creditor-side work, often representing hedge funds and private equity funds in contested, litigation-heavy matters. Several cases stand out as transformative.

In the *Hertz* restructuring, the firm partnered with Knighthead Capital to raise a billion dollars in support of a bid that rescued shareholders, who otherwise would have received nothing. The investor group delivered recoveries of $14 to $23 per share.

Similarly, in *Garrett Motion*, Glenn Agre represented the official equity committee. Facing a minimal $1.75 per share recovery, the team put forward a competing plan. Shareholders ultimately received approximately $13 per share.

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In *Joann Fabrics*, the firm represented lenders initially offered five cents on the dollar. After litigating the company's proposed transaction, the firm identified an alternative deal that paid clients out at par—a result he remains particularly proud of.

The firm also tried the *Robertshaw* case against top Big Law firms and handled *True Value* as debtor-side special litigation counsel, later wrapping up the case efficiently within a constrained budget.

At present, the firm is representing QVC Group preferred shareholders, which are fighting to recoup their investments in the retail giant.

The firm also has expanded cross-border work, including the ARD Finance Chapter 15 matter.

"The common thread across all of these is that we don't just participate in cases, we change outcomes," Mr. Glenn says.

Creditor-Focused Model with Evolution

The firm remains primarily creditor-side but has strategically taken on select debtor representations, especially where litigation or contested issues dominate. It foresaw the market shift toward out-of-court restructurings and liability management exercises (LMEs), handling substantial volume in that space, including related litigation.

Mr. Glenn highlights the firm's conflict-free status with major financial institutions as a key differentiator from Big Law. Combined with creative problem-solving and cost-effective staffing, this has allowed it to take market share. The firm is also comfortable with hybrid fee arrangements and works with litigation funders.

Empowering Juniors and Embracing AI

One of the firm's strengths is meaningful responsibility for junior lawyers. Lean staffing means associates handle significant work early on.

"Our business model demands that junior attorneys get real exposure and responsibility," Mr. Glenn explains. "We push responsibility down to associates who bill at lower rates, creating real opportunities rather than theoretical ones."

In the *True Value* matter, associates handled roughly 90% of the work, often going up against partners from other firms.

Mr. Glenn's philosophy is hands-on: "You can't teach lawyering in a conference room." He gives increasing responsibility as trust is earned.

The firm has invested heavily in AI for factual-intensive tasks such as investigations, document review, data mining, and initial drafting. Mr. Glenn sees this as transformative, particularly for lean-staffed boutiques.

"AI eliminates one of the primary distinctions between a firm like ours and a 1,000-lawyer firm," he says.

However, the firm draws a firm line: AI is not used for legal judgment, nuanced analysis, or case citations due to hallucination risks.

Culture, Balance, and the Road Ahead

Glenn Agre emphasizes treating associates as "partners in training," offering flexibility and autonomy to those who are proactive and deliver high-quality work. This environment has helped attorneys from elite firms thrive.

Looking back after five years, Mr. Glenn wishes they had better anticipated how rapidly the market would change—with the rise of LMEs, AI, litigation finance shifts, and evolving Chapter 11 dynamics. Adaptability has become a core competency.

For the next 3–5 years, he says priorities include expanding debtor-side work (where AI is expected to reduce labor intensity, especially in the middle market), building broader transactional capabilities, and continuing organic growth while maintaining the boutique model. Cross-border work will also deepen.

"The era of the five-year, billion-dollar Chapter 11 is probably over," Mr. Glenn observes. "We're well-positioned for a world that rewards nimbleness and cost-effectiveness." ¤