



Francesca Macchiaverna
Partner

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PRACTICE AREAS

Arbitration & Mediation
Bankruptcy & Creditors' Rights
Business Litigation
Construction
Estates & Trusts
Foreclosures & Workouts
Health Care
Insurance Coverage & Defense
Litigation
Real Estate Litigation

INDUSTRIES

Banking & Finance
Health Care
Real Estate

LICENSED IN

Georgia
North Carolina
South Carolina

EDUCATION

University of South Carolina School of
Law: J.D., 1999
Emory University: B.A., 1994

EXPERIENCE

Francesca Macchiaverna protects businesses' financial interests through efficient commercial debt collection and dispute resolution.

A seasoned litigator, she represents creditors in state and federal courts across Georgia, North Carolina, and South Carolina, serving banks, specialty finance firms, commercial landlords, property managers, heavy equipment dealers, and businesses extending credit to finance sales of goods and services.

Her practice covers bankruptcy, creditors' rights, foreclosures, workouts, preference defense, landlord-tenant matters, mechanic's liens and bonds, probate claims, and judgment collection – including foreign judgments. Certified as a Circuit Court Mediator in South Carolina, Francesca also helps resolve disputes outside of court. Her high ethical standards have earned her an AV Preeminent Rating from Martindale-Hubbell.

Admitted to all state and federal courts in Georgia and South Carolina, the U.S. Supreme Court, and North Carolina, Francesca is a member of the Bankruptcy and Creditors' Rights Sections of the State Bar of Georgia, the Savannah Bar Association, and the Georgia Association for Women Lawyers. She also holds memberships with the South Carolina Bar, South Carolina Women Lawyers Association, and South Carolina Bankruptcy Law Association. She regularly presents on bankruptcy and commercial landlord-tenant issues.

In the community, she serves as treasurer of TEDxSavannah. Francesca earned her B.A. from Emory University and J.D. from the University of South Carolina, where she was an articles editor for the *South Carolina Environmental Law Journal*. She is married with two daughters.

REPRESENTATIVE ENGAGEMENTS

- Represented creditors in post-judgment proceedings, successfully collecting on judgments through garnishment of bank accounts and wages or foreclosing on real or personal property.
- Defended debtor in post-judgment proceedings, successfully preventing collection of judgment against debtor.
- Represented commercial landlord/creditors in administrative expense claims of rejected damages claim filed against tenant/debtor.
- Enforced collection on commercial credit applications and secured mechanics' liens and bonds, ensuring clients' rights to payment for goods and

AFFILIATIONS

State Bar of Georgia: Bankruptcy and Creditors' Rights Section

Savannah Bar Association

Georgia Association for Women Lawyers: Savannah Chapter, Past President, 2011-2012

South Carolina Bar: Board of Governors' Task Force – Lawyers in Transition

South Carolina Women Lawyers Association

South Carolina Bankruptcy Law Association

ALFA International: Bankruptcy Law Working Group

COMMUNITY WORK

TEDxSavannah: Board Treasurer

Delta Gamma Alumnae Association

South Carolina Bankruptcy Law Association: Presenter, 2021

Leadership Southeast Georgia: Class of 2019

Leadership Savannah: Class of 2016-2017

ALFA International: Bankruptcy Law Presenter, 2019

Coastal Bankruptcy Law Institute: Presenter, 2017-2018

Coastal Heritage Society: Board of Trustees, 2013-2018; Executive Board, 2019-2021

Georgia High School Mock Trial Program: Scoring or Presiding Judge

South Carolina High School Mock Trial Program: Scoring or Presiding Judge

services provided.

- Managed complex federal judicial foreclosure actions in South Carolina, effectively navigating the legal process to recover assets.
- Achieved enforcement of an arbitration agreement for a major health care network, culminating in a favorable motion to enforce after extensive alternative dispute resolution efforts.
- Represented creditors in adversary proceedings involving personal financial statements and guarantees, safeguarding clients' claims in bankruptcy contexts.
- Defended property owners against subcontractor-filed mechanics' liens in Georgia, negotiating favorable settlements to resolve disputes.
- Facilitated the reformation and ratification of deeds to secure debt, clarifying and securing property rights for clients in complex real estate transactions.

PUBLISHED OPINIONS

- *Young v. Catoe*, 33 Fed. Appx. 133 (4th Cir. 2002)
- *Robert Michael Ardis v. Educational Credit Management Corp. (In re Ardis)*, 340 B.R. 309 (Bankr. S.C. 2006)
- *SunTrust Bank v. Global One, L.L.C. (In re Global One, L.L.C.)*, 411 B.R. 524 (Bankr. S.D. Ga. 2009)
- *Gerguis v. Statesboro HMA Medical Group, LLC*, No. A14A1616, 2015 WL 1215045 (Ga.Ct.App. March 18, 2015)
- *Gray Tybee, II, LLC, et al. v. Charles W. Coker, Jr. (In the Matter of Coker)*, 569 B.R. 521 (Bankr. S.D. Ga. 2017)

ARTICLES

Is it a Boat Slip, a Dock, or a Condo? Wait, it's a Dockominium!
Published by Legal Newswire on May 10, 2023.

Greater Savannah Apartment Association Newsletter (n/k/a Coastal Georgia Apartment Association)
Published from May 2015 to May 2017.

Strengthening the Financial Foundation of Your Business in the New Year

Published in *Business in Savannah* on January 16, 2016.

RECOGNITION

Georgia Super Lawyers: Business Litigation, 2023-2024

Martindale-Hubbell: AV Rated

South Carolina Environmental Compliance Update

Published from May 1998 to May 1999.

The Reformulated Gasoline Case: International Trade's Impact on U.S. Environmental Policy

Published in the Summer 1998 issue of the *South Carolina Environmental Law Journal*.

PRESENTATIONS

SubChapter V of Chapter 11

CLE in person event presented by Francesca Macchiaverna and Jon Levis at the Coastal Bankruptcy Law Institute Seminar on May 19, 2023.

Bankruptcy Subchapter V

CLE virtual event presented by Francesca Macchiaverna, Christine Brimm, and Kerk Spong for the South Carolina Bankruptcy Lawyers Association on September 21, 2021.

Bankruptcy Issues as a Result of COVID-19 – Small Business Reorganization Act and CARES Act

Francesca Macchiaverna served as a panelist for this webinar by ALFA International's Business Litigation Practice Group on May 5, 2020.

Bank it! A Game That Tests Your Bankruptcy Knowledge – a PowerPoint gameshow based on \$100,000 Pyramid

ALFA International Client Seminar presented by Francesca Macchiaverna on behalf of the Bankruptcy Working Group from February 28 to March 2, 2019.

Ethics: Jeopardy! – a PowerPoint gameshow based on Jeopardy!

Presented at the Coastal Bankruptcy Law Institute Seminar on April 20, 2018.

Landlord Tenant Law Seminar

Presented for the Greater Savannah Apartment Association on April 21, 2016.

Credit Presentation for the National Association of Credit Management Seminar

Presented in Savannah, Georgia, on March 10, 2016.