

Overview

Stephen D. Finestone has extensive experience representing various parties in most types of bankruptcy cases. Stephen has handled numerous reorganizations for a wide range of businesses and individuals, including real estate developers, wholesale and manufacturing businesses, restaurants and health care providers. He has represented parties selling and acquiring assets out of bankruptcy estates, including operating businesses, hotels and other real estate assets.

Stephen also represents creditors, both secured and unsecured, in bankruptcy matters. He has years of experience filing Chapter 7 cases for entities and individuals. He handles a wide variety of litigation in bankruptcy court, including prosecuting and defending dischargeability complaints, objections to discharge, and avoidance actions. In addition to his work at the trial court level, Stephen has handled many appeals before the Ninth Circuit Court of Appeals, the Bankruptcy Appellate Panel for the Ninth Circuit and the District Court. He also handles commercial litigation in state and federal courts and has served as an expert witness on bankruptcy matters.

Prior to forming Finestone Hayes LLP with Jennifer Hayes, Stephen operated a solo practice for 18 years and spent 12 years with the firm of Haas & Najarian in San Francisco.

Recognition and Bar Activities

Stephen is rated AV Preeminent by Martindale Hubbell and has been selected a Northern California Super Lawyer in the area of bankruptcy law every year since 2008.

Stephen was a member of the Bench-Bar Liaison Committee for the Northern District of California from 2012-2016 and served as a co-chair of the committee from 2014-2015. He has been on the Insolvency Law Committee of the Business law section of the State Bar of California since 2014 and is currently serving as the chair of the subcommittee on legislation.

Stephen is a member of the Bar Association of San Francisco and is on its lawyer referral panel for insolvency law. He mentors young lawyers working in the insolvency area, including advising young lawyers on bankruptcy practice as part of the association's recently launched community law incubator program.

Stephen is also a member of the American Bankruptcy Institute, the American Bar Association and the Bay Area Bankruptcy Forum.

Continuing Education

Moderator – The Intersection of Bankruptcy Law and Family Law – Northern District Judicial Conference

Faculty - National Business Institute: Bankruptcy Litigation 101

Faculty - National Business Institute: The Impact of Bankruptcy on the Dissolution of Marriage

Faculty - National Business Institute: Fundamentals of Bankruptcy Law and Procedure in California

Faculty - Sterling Education Services: Basic Bankruptcy Law and Practice in California

Panelist - Individual Chapter 11s: Salvation or Servitude: Alameda County Bar Association

Panelist - "Honey I Shrunk the Mortgage": Handling real estate short sales

Panelist - Alternative Solutions to Foreclosure: NAHREP

Presenter - The Intersection of Bankruptcy Law and Family Law: Marin County Bar Association

Reported Cases

- In re Cukierman 265 F.3d 846 (9th Cir. 2001)
 - Van Zandt v. Mbunda (In re Mbunda) 484 B.R. 344 (9th Cir. BAP 2012), affirmed on appeal, 604 Fed. Appx. 552, cert denied 136 S. Ct. 198 (2015).
 - In re Cukierman, 242 B.R. 486 (9th Cir. BAP 1999)
 - Wuthrich v. Amer Sports Winter & Outdoor Co., 2015 U.S. Dist. LEXIS 43870 (ND Cal 2015)
 - Kenoyer v. Cardinale (In re Kenoyer), 489 B.R. 103 (Bkrtcy. ND CA 2013)
 - In re Acosta, 182 B.R. 561 (N.D. Cal. 1995)
 - In re Abad, 1998 U.S. App. Lexis 28921 (full text opinion), affirmed 156 F.3d 1235 (9th Cir. 1998)
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Admissions

Admitted to California Bar, 1986

Admitted to United States District Courts: Northern, Southern, Central and Eastern Districts of California

Admitted to the United States Court of Appeals for the Ninth Circuit

Education

University of California at Santa Barbara, 1981, B.A.

University of California, Hastings College of the Law, 1986, J.D.