Reinhart

Frank W. DiCastri

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Honored by Best Lawyers in America as the 2025 “Lawyer of the Year” in Bankruptcy / Creditor Debtor Rights and Bankruptcy Litigation, Frank DiCastri prioritizes developing and sustaining long-term relationships with clients by serving as a dedicated courtroom advocate for their interests. As a shareholder and chair of Reinhart’s Business Reorganization Practice, he focuses on insolvency proceedings, including corporate reorganization cases, liquidations and receiverships, and other litigation and trial work related to sophisticated commercial transactions. His clients include financial institutions and other lenders, trustees, receivers, asset purchasers, borrowers, both secured and unsecured creditors and other litigants.

Frank is known for his responsive communication and his composure in complex and challenging circumstances. He seeks to understand his clients’ businesses and protect their interests through insightful writing, persuasive analysis and rigorous courtroom advocacy. His goal is to work as natural extension of their team and collaborate toward the most effective solutions.

He is a frequent writer and presenter on bankruptcy and insolvency issues at local, state and regional conferences, lending his extensive experience to support others in the field.

Away from the office, he enjoys fishing, traveling, studying Italian, spending time with family and cheering for the Wisconsin Badgers.

Education

- J.D., University of Wisconsin Law School (Senior Editor, Wisconsin Law Review)
- B.A., with distinction, University of Wisconsin

Bar Admissions

Wisconsin, Illinois

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Court Admissions

- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, Seventh Circuit

Languages

Italian

Practices

- Litigation
- Banking and Finance

Services

- Business Reorganization

Matters

- On behalf of equity holder, obtained dismissal of craft brewer's chapter 11 case on grounds that filing LLC members did not have corporate authority to seek bankruptcy relief, leading to favorable settlement. *See In re: Karben4 Brewing, LLC,* 661 B.R. 392 (Bankr. W.D. Wis. 2024).

- Successfully removed debtor-in-possession in subchapter V chapter 11 case for gross mismanagement, and subsequently obtained orders denying confirmation of debtor's plan, and sale of real estate collateral.

- Successfully defended an appeal, including briefing and oral argument, in *Archer-Daniels-Midland Company v. Country Visions Cooperative*, 29 F.4th 956 (7th Cir. 2022). Represented holder of right of first refusal in appeal arising from section 363 sale in bankruptcy court. The U.S. Court of Appeals for the Seventh Circuit affirmed the lower court decisions.

- Defeated corporate borrower's effort to restructure fraudulently obtained loan by obtaining dismissal of bankruptcy case as a "bad faith" filing, a ruling that, in part, led to the indictment and guilty plea of the borrower's principal for loan fraud.

- Successfully restructured a corporate loan through a complex bankruptcy while separately obtaining summary judgment on contract and tort claims in a state court admiralty case to recover proceeds of collateral.

- Represented a large and sophisticated health care REIT in state and bankruptcy litigation involving multiple assisted living, skilled nursing and memory care facilities, including the prosecution of a competing plan of

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reorganization that led to a favorable settlement.

- Successfully prosecuted contract claims to a jury trial verdict in favor of a medical research and development company to recover the full amount of purchase price following a sale of bone void substitute technology to a well-known medical devices company.
- Successfully guided a secured lender through complex collection resulting in full payment by, among other things:
  - Initiating involuntary Chapter 128 receivership petition against borrower, and leading highly contentious negotiation to convert involuntary petition into voluntary Chapter 128 case
  - Assisting with stabilization of operations at borrower's skilled nursing facility (SNF)
  - Assisting with the resolution of labor union negotiations that threatened receiver's efforts to sell the SNF
  - Completing sale of the SNF under challenging circumstances after first buyer terminated purchase agreement
  - Achieving temporary restraining order and favorable settlements for lender and receiver in contested litigation regarding sales of the SNF and separate low-income housing tax credit project

Honors & Affiliations

Honors

- *Best Lawyers in America* - "Lawyer of the Year," Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law; Litigation – Bankruptcy (2025)
- *Best Lawyers in America* - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law; Litigation – Bankruptcy
- Wisconsin Super Lawyers (2015-present)
- Wisconsin Super Lawyers - Rising Star (2006-2007, 2010-2012)

Affiliations

- State Bar of Wisconsin
- Seventh Circuit Bar Association
- Eastern District of Wisconsin Bar Association

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- American Bankruptcy Institute
- Milwaukee Bar Association
- Justinian Society of Lawyers
- Turnaround Management Association

Community Leadership

- Reinhart Bridges Diversity Program
- Christ King School, Former Athletic Director
- Milwaukee Kickers Soccer Club, Board of Directors
- Tosa Kickers Soccer Association, President and Chairman of the Board

Presentations

- Speaker, Bankruptcy, Insolvency and Creditors' Rights (BICR) Section Retreat, Kohler, WI
- Speaker, American Bankruptcy Institute, Central States Workshop, Traverse City, MI and Lake Geneva, WI
- Speaker, Milwaukee Bar Association, Bench Bar Bankruptcy Committee and Bankruptcy Section
- Speaker, Lou Jones Breakfast Club Meeting, E.D. Wis.
- Speaker, State Bar of Wisconsin, Annual Bankruptcy Update
- Speaker, Western District Bankruptcy Bar

Publications

- *American Bankruptcy Institute Journal*: "*Cordova v. City of Chicago: Another Round for the Second City*," April 2022 (Selected for inclusion in *Best of ABI 2022: The Year in Consumer Bankruptcy*)
- Co-author *Corporate LiveWire*: "Boy Scouts of America Bankruptcy Presents Unique Restructuring Issues and Challenges," Bankruptcy & Restructuring 2020, May 2020
- *Law360 Expert Analysis:* "7th Circuit Misinterprets 'Active Resistance' in Ch. 13 Stays," August 27, 2019
- *The Licensing Journal*: "Trademarks and Bankruptcy Litigation in the Shadow of Tempnology," August 2019
- *American Bankruptcy Institute Journal*: "Cramdown for Unsecured Creditors: Since When Does 'Best Interests' Mean Less Interest?," May 1, 2018
- *American Bankruptcy Institute Journal*: "Law and (Sparrer) Sausages— 'Remains Unpaid' Continues to Confound

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in Preference Cases," November 4, 2016

- *Law360 Expert Analysis*: "US v. Apex Oil: Will High Court Revisit Ohio v. Kovacs?," June 30, 2010

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