



## Margaret W.S. Puccini

### Partner

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Margaret ("Maggie") W. S. Puccini is a partner with Bouhan Falligant whose practice areas include bankruptcy, creditors' rights, construction and commercial litigation, mechanics' and materialmen's liens, representation of condominium and homeowners' associations, and landlord/tenant disputes.

Puccini received a B.S. in criminal justice, *magna cum laude*, from Armstrong Atlantic State University in 1995 and her J.D. from Mercer University in 1999. She was a member of the Mercer Law Review and achieved Dean's List recognition.

Puccini is a member of the State Bar of Georgia, the Savannah Bar Association, the Bankruptcy Law Section of the State Bar, the American Bankruptcy Institute and the National Association of Women in Construction. She is also a member of the Bankruptcy Lawyers Advisory Committee of the Bankruptcy Court for the Southern District of Georgia. She is a past President of the Savannah Bar Association and a Master of the W. Homer Drake, Jr., Georgia Bankruptcy American Inn of Court. She currently serves as the 2020-2021 Chair of the Georgia State Bar Disciplinary Board. Puccini frequently lectures on topics relating to bankruptcy and creditors rights.

## Practice Areas

- Banks & Financial Institutions
- Commercial Litigation
- Condominium & Homeowner Association Representation
- Construction Law
- Foreclosures & Workouts

## Education & recognition

- Armstrong Atlantic State University, B.S., *Magna Cum Laude*
- Mercer University School of Law, J.D.
- Admitted to practice: Georgia
- *Georgia Trend Magazine* Legal Elite, 2016-2017, 2023
- *Super Lawyer Magazine* Super Lawyer, 2017, 2018, 2019, 2020, 2024
- *Best Lawyers* in America, 2021, 2022, 2023, 2024
- Martindale Hubbell AV Rating

## Activities & affiliations

- President, Savannah Bar Association
- President-Elect, Savannah Bar Association
- Secretary, Savannah Bar Association
- Executive Committee Member, Savannah Bar Association
- Member, National Association of Women in Construction
- State Bar of Georgia; Bankruptcy Law Section
- Bankruptcy Lawyers Advisory Committee of the Bankruptcy Court of the Southern District of Georgia
- Master, W. Homer Drake, Jr., Georgia Bankruptcy American Inn of Court
- Executive Committee Member, W. Homer Drake, Jr., Georgia Bankruptcy American Inn of Court
- Member, American Bankruptcy Institute
- 2020-2021 Chair, State Bar of Georgia Disciplinary Board
- Advisory Board American Association of Diabetes Educators, Pediatric Diabetes Center Memorial Health University, 2016-2019
- Community Advisory Board, American Diabetes Association, 2016
- Savannah “Boar” Association (team comprised of members of the Savannah Bar Association)
- American Diabetes Association Kiss-A-Pig Campaign, one of the biggest Savannah-area fundraising campaigns, 2015, 2016

## Publications & presentations

- "Avoiding Violations of the Fair Debt Collection Practices Act," Savannah Bar Association Hot Topics Seminar
- "Recent Developments in Bankruptcy Law," National Business Institute
- "Real Estate Bankruptcies, a Review of Some Critical Issues," ICLE Consumer and Business Bankruptcy
- "Ethical Considerations in Bankruptcy," Coastal Bankruptcy Law Institute
- "Recent [Bankruptcy] Appellate Opinions," Coastal Bankruptcy Law Institute
- "Nuts and Bolts of Creditor Representation," Coastal Bankruptcy Law Institute's Paralegal Seminar
- "Lincoln's Notes and Bankruptcy", ICLE Consumer and Business Bankruptcy
- "CFPB's Amended Mortgage Servicing Regulations and Their Effects on Bankruptcy", American Bankruptcy Institute
- "All Things Considered: Getting Your Evidence Admitted", State Bar of Georgia ICLE, Bankruptcy Law Section
- "Subcontractors and Suppliers Should Preserve Lien Rights", Business in Savannah
- "Businesses and Bankruptcy: What You Need to Know", Business in Savannah
- "How to Preserve Your Lien Rights", Business in Savannah, April 2017

## Notable Cases

- **Mitchell vs. Contractors Specialty Supply, Inc. et. al.**, 247 Ga. App. 628 (2001), the Georgia Court of Appeals affirmed trial court's grant of summary judgment in favor of client, Contractors Specialty Supply, Inc, holding that the four year statute of limitations governing damage to real property runs from the date of substantial completion and not the date of discovery of the damage to property.
- **Bibler Masonry Contractors, Inc. v. J.T.Turner, Inc. et.al.**, 340 Ga. App. 490 (2017), the Georgia Court of Appeals affirmed trial court's grant of summary judgment in favor of client, JMLS 1422 LLC, the owner of The Savannah Law School property, on the issue of whether subcontractor should be bound to a backdated lien waiver where more than sixty days passed between the date of the waiver and the date of the filing of a materialman's lien.
- **In re Friedmans Jewelers**, Case No., 05-40129, at the time of filing, this was the largest complex Chapter 11 case previously filed in the Southern District of Georgia, Savannah Division. Ms. Puccini successfully filed over 60 turnover actions in the case seeking to recover preferential transfers made by the Debtor within 90 days of the bankruptcy filing.
- **In re Douglas Asphalt Company**, Case No. 09-51272, the firm represented Arch Insurance Company ("Arch") and Lumbermens Mutual Casualty Company ("Lumbermen's"), two of three petitioning creditors who filed an involuntary bankruptcy petition against Douglas Asphalt Company, and subsequently, its principal, Joel H. Spivey (In re Spivey, Case No. 10-50340) in the Southern District of Georgia, Waycross Division. Arch and

Lumbermens issued payment and performance bonds for Douglas Asphalt Company, Inc. ("DAC") on various road paving projects throughout Georgia and Florida, and their claims against DAC arose from defaults by DAC on numerous bonded projects which required Arch and Lumbermens to complete the projects and pay claims made against the payment bonds. Spivey guaranteed the bonds. Arch was a judgment lien creditor of DAC and Joel Spivey with a judgment in excess of \$112,000,000. Lumbermen's was an unsecured creditor with a claim in excess of \$19,000,000. The cases eventually resolved through mediation before Bankruptcy Judge Susan Barrett in 2013, but prior to that, there were numerous motions and adversaries filed in both cases. In November of 2012, Bankruptcy Judge John S. Dalis issued an opinion on the merits of a charging lien claimed by Debtors' counsel on certain settlement proceeds. That opinion is published at 483 B.R. 560 (S.D. Ga. 2012).

- **In re Sterling Bluff Investors, LLC**, Case No. 14-40200, Sterling Bluff Investors filed a Chapter 11 bankruptcy case in order to stop a foreclosure sale by client, Ameris Bank, of 66 lots Sterling Bluff owned in The Ford Plantation. The firm was able to get the bankruptcy case dismissed as a bad faith filing. Sterling Bluff was represented by Austin E. Carter and Stone and Baxter in Macon, Georgia. In connection with the Sterling Bluff bankruptcy, Ms. Puccini filed suit against two of the guarantors from Louisiana in the United States District Court for the Southern District of Georgia, Case No. CV414-038, on their guaranties of the Sterling Bluff debt. After protracted litigation in which the Defendants were represented by Weener & Nathan, LLP, the District Court granted summary judgment to Ameris Bank. The Defendants appealed to the Eleventh Circuit Court of Appeals, which affirmed the District Court, found the appeal to be frivolous, and upon Ms. Puccini's request, held that Ameris Bank was entitled to an award of reasonable attorney's fees against Defendants and their counsel for filing a frivolous appeal.