

# Dan Geyser Argues Major Bankruptcy Case Before the U.S. Supreme Court, Receives National News Coverage

---

January 11, 2024 Daniel Geyser

---

**PRACTICES** Restructuring, Appellate, U.S. Supreme Court

---

Haynes Boone [U.S. Supreme Court Practice](#) Chair [Daniel Geyser](#) argued before the Supreme Court on Jan. 9, in [U.S. Trustee v. John Q. Hammons Fall 2006](#), a significant dispute over \$326 million in bankruptcy fees.

Geyser's argument and the case received national coverage from news outlets covering both the Supreme Court and bankruptcies. The case involved the aftermath of the Supreme Court's earlier decision in *Siegel v. Fitzgerald*, a case Geyser also argued and won in 2022. In *Siegel*, the Court declared unconstitutional a 2017 law that increased Chapter 11 trustee fees in 48 states but exempted debtors in Alabama and North Carolina. The *Hammond* case now asks what to do with the invalid fees paid between 2018 and 2021 before Congress passed a new law, making fees equal nationwide. Geyser argued the \$326 million in invalid fees should be refunded.

Geyser is among a select group of accomplished lawyers who regularly handle significant disputes in the U.S. Supreme Court. This is his 16th argument before the Supreme Court and his fifth since joining the firm in late 2021. His appearances rank tied for fourth among all private-firm lawyers nationwide since the 2016 October term, according to a website tracking Supreme Court statistics.

Excerpts of the coverage of this case are below.

*Wall Street Journal:*

Geyser...told the justices that his client, along with thousands of other debtors, is entitled to receive a refund for the fees collected by the government during the time the original law was in effect.

"If the government unlawfully collects funds, it is required to rectify that violation with meaningful backward-looking relief," he said. "It cannot simply keep the unconstitutional fees and promise not to do it again."

To read more of the *Wall Street Journal's* coverage, [click here](#).

## *Bloomberg Law:*

Daniel L. Geysler of Haynes Boone LLP argued on behalf of John Q. Hammons Hotels & Resorts that the US Trustee's proposal amounted to a "massive fee campaign across two states" and would override "multiple provisions of the bankruptcy code."

To read more of *Bloomberg Law's* coverage, [click here](#).

## *The National Law Journal:*

Geysler said assessing Congress' intent in passing the fee hike is a fraught exercise, given that it was not aware of the constitutional defect at the time.

"Why is that not a choice Congress has today?" Jackson asked.

"Because Congress has not yet invented a time machine," Geysler answered.

To read more of *The National Law Journal's* coverage, [click here](#).

## *Law360:*

"It is stunning for the government to ask this court, without a hint of authority from Congress, to impose this kind of profound retroactive cost on dozens of bankruptcies and hundreds or thousands of stakeholders across two separate states," Geysler said. "That is a policy decision reserved for the political branches, and it is Congress' alone to make."

To read more of *Law360's* coverage, [click here](#).

## *Reuters:*

Geysler argued the government must allow refunds for fees that were unevenly and unfairly imposed.

"It cannot simply keep the unconstitutional fees and promise not to do it again," Geysler said.

To read more of *Reuters*' coverage, [click here](#).