

Amy E. Vulpio

Partner

Co-Chair, Financial Restructuring and Bankruptcy Practice

Philadelphia, PA

t: 215.864.6250

f: 215.789.7550



Amy's unique experience representing both creditors and debtors provides insight into the priorities and motivations of parties across the table. She draws on this understanding to offer creative legal strategies to clients, whether in negotiations or litigation.

OVERVIEW

Amy Vulpio focuses her practice on creditor and debtor representation, bankruptcy appellate work and bankruptcy-related commercial litigation. Her experience representing both creditors and debtors gives her the breadth of perspective needed to advise her clients as to the priorities and motivations of the party across the table. Using this understanding, Amy works closely with her clients to formulate creative legal strategies and helps her clients achieve their goals through negotiation or litigation.

Amy represents creditors in diverse industries who require assistance in confessing judgment, obtaining relief from the automatic stay, filing and litigating proofs of claim, responding to various motions and adversary complaints, including preference and fraudulent conveyance actions, and otherwise asserting their rights in Bankruptcy Court. Amy's clients include financial institutions and other secured lenders, insurance companies, lessors, trade creditors and other businesses and individuals whose interests are implicated in bankruptcy proceedings.

Amy also has broad experience with debtor representation, including facilitating out-of-court workouts, preparing bankruptcy petitions, filing and prosecuting claims objections and prosecuting preference and fraudulent conveyance actions.

In the bankruptcy appellate context, Amy prepares appellate briefs, presents oral arguments and prosecutes appeals on a variety of bankruptcy-related topics. She also has general commercial litigation experience.

PRACTICES

Financial Restructuring and Bankruptcy

BAR AND COURT ADMISSIONS

Pennsylvania

New Jersey

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern District of Pennsylvania

EDUCATION

Georgetown University Law Center, JD, 1999

Williams College, BA, *cum laude*, 1996

MEMBERSHIPS

Eastern District of Pennsylvania Bankruptcy Conference

International Women's Insolvency & Restructuring Confederation

Turnaround Management Association and TMA's Networking Organization of Women



RECOGNITION AND INVOLVEMENT

Amy chaired the Eastern District of Pennsylvania Bankruptcy Conference from 2020-2022 and previously chaired the Conference's Education Committee. Amy continues to serve on the Conference's Steering Committee.

Amy serves as Communications Co-Director for the Board of Directors of the International Women's Insolvency and Restructuring Confederation (IWIRC). From 2016-2020, Amy co-chaired IWIRC's Greater Philadelphia Network, which hosted the 2018 IWIRC Leadership Summit. Amy still serves as the Network's Sponsorship Chair.

Amy served as President on the Board of Directors of the Consumer Bankruptcy Assistance Project (CBAP), a non-profit organization that provides bankruptcy representation to low-income Philadelphia residents, from 2017-2019. Amy continues to serve on CBAP's Board and provides pro bono legal services to CBAP clients.

Amy is also a member of the Turnaround Management Association (TMA) and the Catholic Charities Appeal's Project Magis Committee.

Amy was selected for inclusion in *The Best Lawyers in America*® since 2021 in the practice areas of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation - Bankruptcy. Amy has been recognized by Chambers USA in 2021 and 2022 as an "Up and Coming Lawyer" in the area of bankruptcy and restructuring in Philadelphia, with clients describing her as "a terrific attorney" and "very bright" and commenting that "she is very responsive" and "a great lawyer." She has recently been recognized as a top attorney in Bankruptcy/Restructuring by the Chambers USA Guide 2023, and is also named a Pennsylvania "Super Lawyer" by *Super Lawyers* for 2023.

REPRESENTATIVE MATTERS

White and Williams Secures Summary Judgment in Involuntary Bankruptcy Dispute
8.29.19

Represented manufacturer in litigation seeking to enforce discharge to bar product liability claim

Represented international technology company as creditor in various bankruptcy matters, including contract assumption and assignment disputes, prosecution of pre-and-post-petition claims, and plan confirmation disputes

Obtained summary judgment in favor of petitioning creditor in involuntary bankruptcy proceedings in which putative debtor sought compensatory damages of nearly \$30 million plus punitive damages

Handled receivership matters, including successful petitions to appoint receivers for hotels, commercial properties, and other financially-distressed businesses and representation of receiver in court-supervised sale of security monitoring business

Represented Chapter 11 trustee in connection with sale of Manhattan apartment building and removal of shareholder of defaulted borrower

Represented debtors from diverse industries in their traditional Chapter 11 and Subchapter V bankruptcy proceedings, including nursing homes, technology and software, manufacturing, and digital and print publishing

Assisted prospective purchasers with performing due diligence, submitting bids, and participating in auctions conducted under Section 363 of the Bankruptcy Code

Obtained relief from the automatic stay in a wide variety of contexts, including to terminate contracts, pursue litigation and/or access debtor's insurance

Represented commercial landlord in connection with restaurant tenant's bankruptcy case

Represented licensors and other contract counterparties in Chapter 11 bankruptcy cases, including objecting to contract assumption and assignment and cure amounts and moving to compel debtors' assumption or rejection of their agreements

Advised mortgage insurer concerning permissibility of rescinding mortgage insurance policy and prosecuted claims for rescission based upon breach of representation and warranties, resulting in successful settlement

Successfully obtained dismissal of borrower's bankruptcy proceedings to enable secured lender to proceed with sheriff's sale on commercial real estate

Represented limited liability company members in connection with contested buy-out and dissolution proceedings

Defended numerous adversary proceedings seeking avoidance of preferential transfers, and negotiated successful settlements of same

Advised creditors and interested parties in Chapter 15 cross-border matters, including cryptocurrency exchange and mass tort insolvencies

Represented fractional jet ownership company in negotiating out-of-court workout with trade creditors and fractional owners, administered the distribution of settlement funds to them, and then formally dissolved corporation

Represented various clients in connection with bankruptcy procedural matters, including transfer of venue, withdrawal of the reference, and remand

Negotiated and drafted forbearance agreements on behalf of secured lenders

Objected to the adequacy of debtors' disclosure statements and to confirmation of debtors' plans of reorganization in order to ensure fair and equitable treatment and maximize creditor's distribution

Represented and advised insurers in a wide variety of bankruptcy matters, including negotiation of insurance neutrality provisions in plans and confirmation orders and defense of disability insurer in trial on wrongful termination of disability benefits

IN THE NEWS

Best Lawyers® Recognizes 45 White and Williams Lawyers
Firm News, 8.18.23

White and Williams recognized with Multiple Honorees in the Chambers 2023 USA Guide
6.9.23

Congratulations to all of our 2023 Attorneys Named as Super Lawyers and Rising Stars
5.25.23

Amy Vulpio Elected to the 2023 IWIRC Board of Directors as Vice Director of Regional Programming
12.12.22

Best Lawyers® Recognizes 40 White And Williams Lawyers
Firm News, 8.18.22

Chambers USA 2022 Ranks White and Williams as a Leading Law Firm
6.1.22

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Chambers USA 2021 Ranks White and Williams as a Leading Law Firm
5.20.21

Best Lawyers® Recognizes 43 White and Williams Lawyers
8.20.20

Lawdragon Recognizes Amy Vulpio as Leading US Bankruptcy and Restructuring Lawyer
7.31.20

13th Annual Coverage College Hosts Over 400 Insurance Professionals
11.1.19

White and Williams Hosts 2018 IWIRC Leadership Summit
7.27.18

White and Williams Sponsors the Eastern District of Pennsylvania Bankruptcy Conference
Convene at the Cira Center (Philadelphia, PA), 1.18.18

White and Williams Elects Four Lawyers to Partnership, Promotes Six Associates to Counsel
1.6.17

Coverage College Celebrates Its 10th Anniversary
9.22.16

EVENTS

SFNet Philadelphia Chapter 2024: 15th Annual Philadelphia Credit & Restructuring Summit
Secured Finance Network (Philadelphia, PA), 3.21.24

White and Williams Sponsors the 33rd Annual Eastern District of Pennsylvania Bankruptcy Conference
Borgata (Atlantic City, NJ), 3.31.23

White and Williams Sponsors the Eastern District of Pennsylvania Bankruptcy Conference
Convene Cityview (Philadelphia, PA), 4.1.22

Is Your Insured in a Financial Crisis? Not Sure What to Do Next? Part III: The Defunct Insured
Webinar, 12.14.21

Buyer Beware: Issues and Strategies for Addressing Dangers in Acquiring Financially Distressed Companies
Webinar, 11.12.20

Getting Ahead of the Tidal Wave: Bankruptcy Basics and Pre-Bankruptcy Risk Mitigation Strategies
Webinar, 6.24.20

Bankruptcy 101: What Every Claims Professional Needs to Know About Bankruptcy
Webinar, 12.10.19

Coverage College 2019
10.24.19

Pennsylvania Bar Institute 24th Annual Bankruptcy Institute
PBI Bankruptcy Institute, 9.25.19

UCC Article 9 and Title 11 U.S.C.
PBI Annual Bankruptcy Institute (Philadelphia, PA), 10.24.18

Is Your Chapter 11 Sale Really "Free and Clear"?
PBI Annual Bankruptcy Institute (Philadelphia, PA), 10.26.17

Wave of Energy Bankruptcies Floods Insurers with Insolvency Issues
White and Williams Coverage College, 9.22.16

PUBLICATIONS

SDNY Revisits Rent Cap Calculations: A Pendulum Shift to the Time Approach
Financial Restructuring and Bankruptcy Alert, 2.16.23

Key Takeaways From "Buyer Beware: Issues and Strategies for Addressing Dangers in Acquiring Financially Distressed Companies"
11.20

What Middle Market Lenders Need to Know about Subchapter V
Journal of Corporate Renewal, 10.20

Hidden Costs in Bargain Acquisitions of Businesses: Exposure to Fraudulent Transfer Claims
Commercial Litigation Alert, 8.18.20

Recipe for Survival: What Restaurants Should "Takeaway" From Recent Retail Bankruptcies
Part Two of a Two-Part Series Covering Hospitality Industry Bankruptcy Considerations
Financial Restructuring and Bankruptcy Alert, 5.6.20

New Subchapter V May be the Bankruptcy Lifeline Small Businesses Need to Survive COVID-19
Financial Restructuring and Bankruptcy Alert, March 23, 2020 (Updated April 15, 2020)

Garlock Five Years Later: Recent Decisions Illustrate Ongoing Obstacles to Asbestos Trust Transparency
The Complex Insurance Coverage Reporter, 7.18.19

Jevic: Structured Dismissals Must Respect Creditor Priority, but Survive Supreme Court Scrutiny (For Now)
Financial Restructuring and Bankruptcy Alert, 4.14.17

Residential Mortgage Lenders and Servicers Beware of Changes to Rule 3002.1
Financial Restructuring and Bankruptcy Alert, 11.30.16

Flipping Through The New Bankruptcy Forms
Law360, 12.2.15

Form Reform: Major Bankruptcy Form Overhaul Takes Effect December 1, 2015
Financial Restructuring and Bankruptcy Alert, 12.1.15