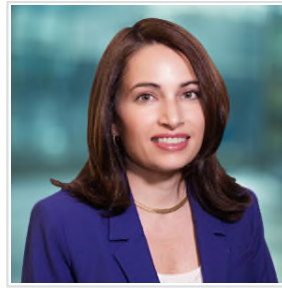


Amy E. Vulpio

Partner

1650 Market Street | One Liberty Place, Suite 1800 | Philadelphia, PA 19103-7395
Direct: 215.864.6250 | Fax: 215.789.7550
vulpio@whiteandwilliams.com



Amy Vulpio focuses her practice on creditor and debtor representation, bankruptcy appellate work and bankruptcy-related commercial litigation. Amy's 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.

Amy serves on the Executive Committee of the Eastern District of Pennsylvania Bankruptcy Conference and previously chaired the Education Committee. Amy co-chairs the Greater Philadelphia Network of the International Women's Insolvency and Restructuring Confederation (IWIRC), host of the 2018 IWIRC Leadership Summit.

Amy serves 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. Amy also provides pro bono legal services to CBAP clients.

Practice Areas

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 New Jersey

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

U.S. District Court for the District of Colorado

Education

Georgetown University Law Center, JD, 1999

Williams College, BA, *cum laude*, 1996**Memberships**

International Women's Insolvency & Restructuring Confederation (IWIRC)

Turnaround Management Association (TMA) and TMA's Networking Organization of Women

While at Georgetown University Law Center, Amy served as Senior Focus Editor of the Georgetown International Environmental Law Review and authored "From the Forests of Asia to the Pharmacies of New York City: Searching for a Safe Haven for Rhinos and Tigers," 11 Georgetown Int'l Envtl. L. Rev. 463 (1999).

Representative Matters

- 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
- Defended involuntary petitioner against Section 303(i) attorneys' fees and bad faith claims
- Represented commercial landlord in connection with restaurant tenant's bankruptcy case
- Represented nursing home debtors in their Chapter 11 bankruptcy proceedings
- Assisted prospective purchaser with performing due diligence, submitting bids, and participating in auction conducted under Section 363 of the Bankruptcy Code
- Successfully petitioned for appointment of a receiver of a 455-room hotel in downtown Tulsa, Oklahoma
- 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 disability insurer in Bankruptcy Court litigation alleging wrongful termination of disability benefits
- Defendant putative involuntary petitioner in sanctions proceedings following dismissal of involuntary bankruptcy case
- Defended numerous adversary proceedings seeking avoidance of preferential transfers, and negotiated successful settlements of same
- Successfully moved for relief from the automatic stay to pursue debtors' insurance coverage
- Successfully moved to compel debtor to assume contract to manufacture and timely deliver multi-million dollar power generator
- Obtained relief from the automatic stay to cancel contract with debtor so that client could enter into new contract with financially stable supplier
- Successfully opposed bankrupt third-party administrator's motion to sell client's contract to inadequately licensed purchaser
- Recovered over \$900,000 from debtor's bankruptcy estate under theories of express and constructive trust and equitable subordination
- Represented automotive parts manufacturer as debtor in Chapter 11 proceedings and Bankruptcy Court approved sale of its assets
- Represented fractional jet ownership company in negotiating out-of-court workout with over 100 trade creditors and fractional owners, administered the distribution of settlement funds to them, and then formally dissolved corporation
- Obtained relief from the automatic stay to permit mortgagee to pursue its state-law remedies against industrial real property in New Jersey

- Represented computer-based training simulation company as debtor in Chapter 11 proceedings and successfully transferred venue of breach of contract litigation against them to Bankruptcy Court and successfully moved to extend automatic stay to debtor's principal; successfully moved to reject burdensome lease of office space
- Represented medical software developer as debtor in Chapter 11 proceedings; successfully moved to reduce and equitably subordinate \$11 million claim of former officer and shareholder, precluding any recovery by him; and assisted debtor with formulating and confirming plan of reorganization
- Represented financial printing company in Chapter 11 proceedings; assisted the debtor in selling its business under auspices of Bankruptcy Code and successfully objected to dozens of proofs of claim filed by vendors and former employees
- Negotiated and drafted forbearance agreements on behalf of secured lenders
- Objected to the adequacy of debtors' disclosure statements in order to force the debtor to provide additional information concerning the treatment of creditors' claims
- Objected to confirmation of debtors' plans of reorganization to ensure fair and equitable treatment and maximize creditor's distribution
- Advised insurer concerning insured's assumption of liabilities following stock acquisition and represented insurer at mediation, culminating in successful settlement
- Successfully moved to extend insurance neutrality to insurer and negotiated terms of insurance neutrality stipulation
- Advised client concerning debtor's ability to avoid pre-bankruptcy insurance settlement as fraudulent conveyance
- Moved to withdraw the reference from the Bankruptcy Court to permit insurance coverage litigation to proceed in District Court
- Advised debtors regarding directors' and officers' liability under Pennsylvania Wage Payment and Collection Law (WPCL) and prosecuted adversary proceedings to enjoin WPCL litigation brought by former employees

Cases & Deals

White and Williams LLP Helps Land 100% Recovery for Unsecured Creditors of Phoenix Payment Systems, Inc.
March 17, 2015