

# Amy E. Vulpio

## Partner

Philadelphia, PA

215.564.8088

avulpio@stradley.com



Well-versed in representing both creditors and debtors, Amy Vulpio offers clients a unique perspective that comes from working on behalf of both parties, allowing for innovative solutions for their negotiation and litigation needs. She counsels financial institutions, secured lenders, insurance companies, lessors, trade creditors, and other businesses and individuals in financial restructuring, bankruptcy, appellate and commercial litigation matters.

Amy helps creditors mitigate their risks and maximize their recoveries when dealing with financially troubled or bankrupt companies, including confessing judgment; obtaining relief from the automatic stay; filing and litigating proofs of claim; filing and responding to motions and adversary complaints, including preference and fraudulent conveyance actions; and otherwise asserting their rights in bankruptcy court as well as in state court assignment for the benefit of creditors (ABC) and receivership matters.

On behalf of debtors, she assists with facilitating out-of-court workouts, preparing bankruptcy petitions and motions, formulating plans of reorganization or liquidation, and prosecuting claims objections and preference and fraudulent conveyance actions in both traditional Chapter 11 cases and Subchapter V small-business bankruptcies.

Additionally, Amy handles bankruptcy-related litigation ranging from routine to complex and contentious, as well as bankruptcy appeals, including appellate briefing and oral argument.

## RESULTS

- Represented a manufacturer seeking to enforce discharge to bar products liability claim.
- Represented an international technology company as the 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 the 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 the court-supervised sale of a security monitoring business.

## FOCUS

Finance & Restructuring  
Bankruptcy, Workouts & Creditors' Rights  
Financial Services Litigation  
Financial Services

## BAR ADMISSIONS

Pennsylvania  
New Jersey

## COURT ADMISSIONS

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

## EDUCATION

J.D., Georgetown University Law Center  
B.A., *cum laude*, Williams College

## MEMBERSHIPS

Member and Former Chair, Steering Committee, Eastern District of Pennsylvania Bankruptcy Conference  
U.S. Fall/Spring Program Co-Director, Board of Directors, International Women's Insolvency & Restructuring Confederation (IWIRC)  
Treasurer, IWIRC Greater Philadelphia Network  
Member and Former President, Board of Directors, Consumer Bankruptcy Assistance Project (CBAP)  
Member, Turnaround Management Association (TMA) and TMA's Network of Women  
Member, Project Magis, Catholic Charities Appeal

STRADLEY  
RONON

- Represented a Chapter 11 trustee in connection with the sale of a New York apartment building and the removal of the shareholder of the 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 terminating contracts, pursuing litigation and/or accessing debtor's insurance.
- Represented a commercial landlord in connection with a 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 a mortgage insurer concerning the permissibility of rescinding mortgage insurance policy and prosecuted claims for rescission based upon breach of representation and warranties, resulting in a successful settlement.
- Successfully obtained the dismissal of a borrower's bankruptcy proceedings to enable the secured lender to proceed with sheriff's sale on commercial real estate.
- Represented limited liability company members in connection with contested buyout 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.

### **SPEAKING ENGAGEMENTS**

- Panelist, "Assumption and Assignment of Retail Leases in Bankruptcy," Strafford Webinar
- Panelist, "Top Commercial Bankruptcy Cases of 2024," Pennsylvania Bar Institute (PBI) Annual Bankruptcy Institute
- Panelist, "Subchapter V Reorganization: Plan Contents, Confirmation, Cramdown, and Discharge," Strafford Webinar
- Panelist, "Bankruptcy Alternatives," SFNet's 15th Annual Philadelphia Credit & Restructuring Summit
- Panelist, "Subchapter V Trustees: Defining a New Type of Trustee," Strafford Webinar
- Panelist, "Nondischargeability of Corporate Debt in Subchapter V: Disrupting Debtor-Creditor Bargaining Power," Strafford Webinar

# Page 3

Amy E. Vulpio

- Panelist, “Retail and Restaurant Bankruptcies: Current Issues for Debtors, Landlords, and Vendors,” Strafford Webinar
- Panelist, “Streamlined and Speedy: Driving the Sub V Vehicle/Bouncing Back with Subchapter V,” National Conference of Bankruptcy Judges (NCBJ)

## PUBLICATIONS

- Co-Author, “What Middle Market Lenders Need to Know About Subchapter V,” *Journal of Corporate Renewal*, October 2020

## RECOGNITIONS

- *Chambers USA* (Pennsylvania: Philadelphia & Surrounds: Bankruptcy/Restructuring) (2023-24)
- *Chambers USA* (Up and Coming Lawyer: Pennsylvania: Philadelphia & Surrounds: Bankruptcy/Restructuring) (2021-22)
- *The Best Lawyers in America* (Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation — Bankruptcy) (annually since 2021)

## IN THE COMMUNITY

Amy serves on the board of directors for the Consumer Bankruptcy Assistance Project (CBAP), a nonprofit organization that provides bankruptcy representation to low-income Philadelphia residents. She formerly served as president of CBAP’s board and continues to provide pro bono legal services to CBAP clients.