



Andrew H. Sherman

Member



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Andrew H. Sherman is Chair of the Firm's Creditors' Rights/Bankruptcy Reorganization Practice Group. He has represented clients in a broad range of complex business reorganizations, debt restructurings and insolvency matters throughout the country. In addition to advising companies experiencing financial difficulties, Mr. Sherman routinely represents lenders and other parties in financings and acquisitions involving troubled companies. He has focused his practice on representing investment management firms in debt restructuring matters, commercial workouts and Chapter 11 cases in such cases as *Motor Coach Industries Int'l, Inc.* and *Marcal Paper Mills, Inc.* He has also represented the Official Committee of Unsecured Creditors in twenty-one (21) recent hospital bankruptcy cases, including *Saint Michael's Medical Center*, *Union Hospital District*, *Bayonne Medical Center*, *Christ Hospital*, *Hudson Healthcare, Inc.*, *Fairmont General Hospital*, et al., *Progressive Acute Care LLC*, *Gardens Regional Hospital and Medical Center, Inc.*, *Coshocton County Memorial Hospital Association*, *Gainesville Hospital District d/b/a North Texas Medical Center*, *Morehead Memorial Hospital*, *Curae Health, Inc.*, et al., *Promise Healthcare Group, LLC*, *Astria Health*, et al., *Center City Healthcare, LLC d/b/a Hahnemann University Hospital*, et al., *Thomas Health System, Inc.*, *Randolph Health*, *LRGHealthcare*, *MTPC, LLC*, et al., *Mercy Hospital and Medical Center*, et al. and *Watsonville Hospital Corporation*, et al. In addition, he has represented parties in significant commercial litigation in the New York and New Jersey federal and state courts.

Practices

Bankruptcy, Financial Reorganization and Creditors' Rights

Court Admissions

U.S. District Court, District of New Jersey

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. District Court, Northern District of New York

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Supreme Court

Representative Decisions

Gardens Reg'l Hosp. & Med. Ctr. Liquidating Trust v. California (In re Gardens Reg'l Hosp. & Med. Ctr., Inc.), 975 F.3d 926 (9th Cir. 2020)

September 16, 2020

CH Liquidation Ass'n Liquidation Tr. v. Genesis Healthcare Sys., 2019 U.S. Dist. LEXIS 42148 (N.D. Ohio Mar. 1, 2019)

March 1, 2019

CH Liquidation Ass'n Liquidation Tr. v. Genesis Healthcare Sys., 2019 U.S. Dist. LEXIS 42150 (N.D. Ohio Feb. 12, 2019)

February 12, 2019

CH Liquidation Ass'n v. Genesis Healthcare Sys., 2019 U.S. Dist. LEXIS 41224 (N.D. Ohio Jan. 11, 2019)

January 11, 2019

In re Hudson Healthcare, Inc., 2018 Bankr. LEXIS 4154 (Bankr. D.N.J. Sept. 13, 2018)

September 13, 2018

In re Fairmont Gen. Hosp., Inc., 569 B.R. 421 (Bankr. N.D. W. Va. 2017)

March 24, 2017

In re Gardens Reg'l Hosp. & Med. Ctr., Inc., 2016 Bankr. LEXIS 4714 (Bankr. C.D. Cal. July 6, 2016)

July 6, 2016

Zucker v. WesBanco Bank, Inc. (In re Fairmont Gen. Hosp., Inc.), 546 B.R. 659 (Bankr. N.D. W. Va. 2016)

Sills Cummis & Gross P.C.

February 25, 2016

40 CPS Assocs., LLC v. Villano Family Ltd. P'ship, 2015 U.S. Dist. LEXIS 158033 (E.D.N.Y. Nov. 23, 2015)

November 23, 2015

In re Fairmont Gen. Hosp., Inc., 510 B.R. 783 (Bankr. N.D. W. Va. 2014)

May 19, 2014

Katz v. Holzberg, 2013 U.S. Dist. LEXIS 162095 (D.N.J. Nov. 14, 2013)

November 14, 2013

Katz v. Holzberg, 2013 U.S. Dist. LEXIS 158012 (D.N.J. Nov. 4, 2013)

November 4, 2013

Katz v. Holzberg, 2013 U.S. Dist. LEXIS 142989 (D.N.J. Oct. 2, 2013)

October 2, 2013

TW Telecom Holdings Inc. v. Carolina Internet Ltd., 661 F.3d 495 (10th Cir. 2011)

November 15, 2011

In re Marcal Paper Mills, Inc., 650 F.3d 311 (3d Cir. 2011)

June 16, 2011

Picard v. Estate of Chais (In re Bernard L. Madoff Inv. Sec. LLC), 445 B.R. 206 (Bankr. S.D.N.Y. 2011)

February 24, 2011

Picard v. Chais (In re Bernard L. Madoff Inv. Sec. LLC), 440 B.R. 274 (Bankr. S.D.N.Y. 2010)

November 30, 2010

Wilén v. Fortis Property Group (In re Bayonne Med. Ctr.), 2010 U.S. Dist. LEXIS 77435 (D.N.J. July 30, 2010)

July 30, 2010

Wilén v. Pamparo Say. Bank, S.L.A. (In re Bayonne Med. Ctr.), 429 B.R. 152 (D.N.J. 2010)

May 26, 2010

Trucking Emples. of North Jersey Welfare Fund, Inc. v. Marcal Paper Mills, Inc., 2009 U.S. Dist LEXIS 101695 (D.N.J. Nov. 2, 2009)

November 2, 2009

Thomason Auto Group, LLC v. China Am. Coop. Auto., Inc., 2009 U.S. Dist. LEXIS 22669 (D.N.J. Feb. 27, 2009)

February 27, 2009

In re Summit Global Logistics, Inc., 2008 Bankr. LEXIS 896 (Bankr. D.N.J. Mar. 26, 2008)

Sills Cummis & Gross P.C.

March 26, 2008

Orius Corp. v. Qwest Corp., 373 B.R. 555 (N.D. Ill. 2007)

August 9, 2007

JS Mktg. & Communs., Inc. v. Qwest Corp. (In re JS Mktg. & Communs., Inc.), 2007 Bankr. LEXIS 1025 (Bankr. D. Mont. Mar. 26, 2007)

March 26, 2007

In re DiLoreto, 2006 U.S. Dist. LEXIS 74927 (E.D. Pa. Oct. 13, 2006)

October 13, 2006

Levin v. DiLoreto (In re DiLoreto), 2002 Bankr. LEXIS 2049 (Bankr. E.D. Pa. May 3, 2002)

May 3, 2002

In re American Family Enters., 256 B.R. 377 (D.N.J. 2000)

September 7, 2000

Levin v. DiLoreto (In re DiLoreto), 277 B.R. 607 (Bankr. E.D. Pa. 2000)

August 1, 2000

In re First Interregional Equity Corporation, 218 B.R. 731 (Bankr. D.N.J. 1997)

November 10, 1997

In re United Healthcare Sys., Inc., 1997 WL 176574 (D.N.J. 1997)

March 26, 1997

Lazarus Burman Assocs. v. Nat'l Westminster Bank (In re Lazarus Burman Assocs.), 161 B.R. 891 (Bankr. E.D.N.Y. 1994)

December 20, 1993

In re Arts des Provinces de France, Inc., 153 B.R. 144 (Bankr. S.D.N.Y. 1993)

April 6, 1993

In re Masters, Inc., 149 B.R. 289 (E.D.N.Y. 1992)

December 18, 1992

In re Masters, Inc., 141 B.R. 13 (Bankr. E.D.N.Y. 1992)

June 8, 1992

In re Kenston Mgmt., Co., 137 B.R. 100 (Bankr. E.D.N.Y. 1992)

March 4, 1992

Newsroom

Press Releases

Sills Cummis & Gross M&A and Restructuring/Insolvency Practices and Attorneys Highly Ranked in IFLR1000 United States 2022 Edition

September 6, 2022

Sills Cummis & Gross Takes Home “New Jersey Firm of the Year” at 2021 IFLR1000 Canada and United States Awards

September 21, 2021

In the News

Sills Cummis Bankruptcy Group Finds There’s ‘No Substitute For Experience and Substantive Knowledge’

New Jersey Law Journal

September 26, 2022

Hospital Bankruptcy Surge Looms as Virus Rages, Stimulus Lapses

Bloomberg Law

October 28, 2020

The Current and Future State of Hospital Bankruptcies

The Steve Gruber Show

January 21, 2020

Hospital Bankruptcies Leave Sick and Injured Nowhere to Go

Bloomberg

January 9, 2020

Sherman Credits Both Creditor- and Debtor-Side Bankruptcy Work For Strong 2017 at Sills

New Jersey Law Journal

June 18, 2018

Inaugural ‘Jersey Dealmakers of the Year’ Recognizes Excellence in Transactional Practice

New Jersey Law Journal

April 18, 2018

CCBJ Q&A: Sills Cummis’ Andrew Sherman

Corporate Counsel Business Journal

March 1, 2018

Morehead Hospital ‘Burning Cash’

The Locker Room

Sills Cummis & Gross P.C.

November 9, 2017

Morehead Hospital Bankruptcy Hearing to Continue Monday

Greensboro News & Record

November 8, 2017

Morehead Memorial's Fate Still Undecided as Hearing Adjourned After 3 Hours of Testimony

Triad Business Journal

November 8, 2017

Rainmaker Q&A: Sills Cummis' Andrew Sherman

Law360

September 28, 2016

Lawyers React to High Court's Limiting of Debt Plan Appeals

Law360

May 4, 2015

Attorney General's Office and Birdsall Services Group Reach Settlement

Office of the Attorney General

April 15, 2013

Federal Judge Allows Indicted N.J. Engineering Firm Birdsall Services Group to Pay Employees

The Star-Ledger

April 2, 2013

Small-Business Bankruptcies in Decline, but Wayne Sees Uptick in Activity

NJBIZ

August 30, 2012

When City Hall Becomes the Poorhouse

NJBIZ

August 13, 2012

NJ Channel 9 News

Nj Channel 9 News

November 10, 2008

Financial Pains Pushing Hospitals to Bankruptcy

Law360: Bankruptcy

April 17, 2008

Bailout May Save Nearly 900 Jobs at Bayonne Medical Center

NJBIZ

December 13, 2007

Sills Cummis & Gross P.C.

Bayonne Medical on life support

The Deal Bankruptcy Insider

October 8, 2007

Judge clamps strict limits on spending by hospital

The Star-Ledger

September 19, 2007

Judge limits spending by bankrupt Bayonne hospital

Newsday

September 18, 2007

Luncheon message: BMC is on the brink

The Jersey Journal

August 9, 2007

Bayonne Med Center owes lawyer who did hosp deal

The Jersey Journal

May 10, 2007

Presentations

2022 William H. Gindin Bankruptcy Bench Bar Conference

Third Party Release Battleground: Clash of the Titans

Association of the Federal Bar of New Jersey

May 6, 2022

43rd Annual Bankruptcy Institute

Healthcare Bankruptcies

North Carolina Bar Association

December 10, 2020

ABI Winter Leadership Conference

Litigating Issues in a Health Care Case

American Bankruptcy Institute

December 5, 2019

Healthcare and Nonprofits in Bankruptcy Subcommittee Meeting and Program

Sale of Not For Profit Healthcare Entities In Bankruptcy: When An Irresistible Force Meets An Immoveable Object

American Bar Association Business Bankruptcy Committee

October 31, 2019

Hospital Bankruptcies - Unique Challenges and Current Hot Topics

American Bankruptcy Institute Business Reorganization and Health Care Committees

Sills Cummis & Gross P.C.

October 17, 2019

Expert Webcast Live Video Roundtable

Healthcare Restructuring

Expert Webcast

June 27, 2019

Chapter 11 - Special Issues 2019: Focus on Health Care

Financial Poise, West LegalEdcenter

June 19, 2019

17th Annual TMA Mid-Atlantic Regional Symposium

First Do No Harm: The Latest in Healthcare Restructurings

TMA Philadelphia|Wilmington, New Jersey and Chesapeake Chapters

June 5, 2019

Expert Webcast Live Video Roundtable

Healthcare Restructuring

Expert Webcast

January 10, 2019

What Everyone Should Know About the Unique Issues That Arise in Health Care Business Bankruptcies

Health Care Restructuring

American Bar Association Business Law Section

December 21, 2017

Significant Developments In Bankruptcy Law

New Jersey Institute for Continuing Legal Education

June 16, 2016

18th Annual Hon. William H. Gindin Bankruptcy Bench Bar Conference

New Jersey State Bar Association Bankruptcy Law Section

April 8, 2016

It's Complicated: Addressing Issues Concerning Distressed Non-Profits

The Women's Divisions of NJTMA and NYIC, and IWIRC New Jersey

October 22, 2015

Financial Chaos and Budget Uncertainty - Is Municipal Bankruptcy in New Jersey's Future

Government Financial Officers Association of New Jersey

July 22, 2011

American Bar Association Forum on the Entertainment and Sports Industries

Key Aspects of the Bankruptcy Code that Entertainment and Sports Lawyers Need to Know,

Sills Cummis & Gross P.C.

Focusing on Recent Issues in Media and Sports Related to Chapter 11 Cases
American Bar Association
October 8, 2009

Hospital Closure Guidelines: A Bankruptcy Primer Webinar

New Jersey Hospital Association
March 3, 2009

The Impact of the Financial Markets Crises and How It Will Affect Bankruptcy Lawyers and Their Clients

ReedLogic
December 1, 2008

Foreclosure and Repossession in New Jersey

Automatic Stay Considerations, Valuation of Collateral, Lease Issues, Abandonment of Property and Duration of the Stay, among others
Lorman Education Services
May 29, 2008

6th Annual RealShare New Jersey

What to do When Your Mixed Use Project Gets Mixed Up in a Bankruptcy
Real Estate Media
October 4, 2007

Distressed Claim Trading: Legal Risks and Options

The Beard Group
March 6, 2007

Negotiating Workouts in a Struggling Economy

New Jersey Institute for Continuing Legal Education
September 13, 2003

Publications

Potential Pitfalls and Opportunities in Healthcare Restructuring

DailyDAC
September 17, 2020

Bankruptcy Claims & Protection

Corporate Counsel Business Journal
January 1, 2019

Navigating the Choppy Waters of Health Care Insolvency Cases

American Bankruptcy Institute
August 1, 2018

In Re Bayou Shores SNF, LLC: Another Limitation on the Limited Jurisdiction of the Bankruptcy Courts?

Metropolitan Corporate Counsel

September 1, 2015

Medicare and Medicaid Issues in Insolvency Cases

The Bankruptcy Strategist

June 1, 2011

Deepening Insolvency Is Alive and Relevant in New Jersey

New Jersey Law Journal - Bankruptcy Law Supplement

January 24, 2011

Issues to Watch For - From Retail to Real Estate

Bankruptcy and Financial Restructurings Law 2008

April 20, 2008

Prognosis Negative

New Jersey Law Journal

January 14, 2008

Retaining Rights When Contractors Go Bankrupt

New York Construction

June 2, 2007

What If Bankruptcy Happens?

Real Estate New Jersey

April 18, 2007

Can the Enron Claims Trading Issues Be Avoided? Should You Consider Acquiring a Distribution Right?

The Bankruptcy Strategist

March 6, 2007

Assisting Companies in Reorganizing in the Face of Financial Difficulty

Understanding the Legal Issues Behind Executory Contracts in Bankruptcy

January 26, 2007

Planning for a Grim Reality: In a Real Estate Slowdown, the Key to a Reorganization Is Proper Preparation

New Jersey Law Journal

January 15, 2007

Why Buy a Bankruptcy Claim When You Can Acquire a Distribution Right?

The Metropolitan Corporate Counsel

January 1, 2007

Sills Cummis & Gross P.C.

“Untouchable?” Treatment of Tariff-Based Claims

American Bankruptcy Institute Journal

November 1, 2006

Health Care Bankruptcy Prescription for 2006

New Jersey Law Journal

March 6, 2006

Highlights of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

New Jersey Lawyer

June 1, 2005

The Preference Problem

New Jersey Law Journal

March 21, 2005

Management Stock Option Programs in Bankruptcy Cases: Let the Market Be Your Guide

The Metropolitan Corporate Counsel

November 1, 2001

Rankings and Recognition

Selected for inclusion in:

- *Chambers USA: America’s Leading Lawyers for Business®** 2012-2022, New Jersey Bankruptcy/Restructuring
- *The Best Lawyers in America®** 2007-2023, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law; Litigation - Bankruptcy
- *IFLR1000 United States: Guide to USA’s Leading Financial & Corporate Law Firms®** 2018-2022, “Highly Regarded” New Jersey Restructuring and Insolvency
- *New Jersey Super Lawyers®** 2006-2022, Creditor Debtor Rights: Business; Bankruptcy: Business
- *New Jersey Law Journal®** “Dealmakers of the Year” 2022 (Practice Group Recognition), 2018 (Individual Recognition)
- *Martindale-Hubbell®** AV rating

* See [Award Methodology](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Affiliations

Member, American Bar Association

Member, New York State Bar Association

Member, Essex County Bar Association

Member, Turnaround Management Association

Member, American Bankruptcy Institute

— Former Co-Chair, Commercial and Regulatory Law Committee

— Former Education Director, Commercial and Regulatory Law Committee

— Former Co-Chair, Health Care Committee

— Former Education Director, Health Care Committee

Former Master, Bankruptcy Inns of Court

Education

J.D., Benjamin N. Cardozo School of Law at Yeshiva University

A.B., Cornell University

Bar Admissions

New Jersey

New York