



Andrew David Behlmann

Partner

New Jersey

T: +1 973.597.2332 | F: +1 973.597.2333

abehlmann@lowenstein.com

Andrew leverages his background in corporate finance and management to approach restructuring problems, both in and out of court, from a practical, results-oriented perspective. With a focus on building consensus among multiple parties that have competing priorities, Andrew is equally at home both in and out of the courtroom, and he has a track record of turning financial distress into positive business outcomes. Clients value his counsel in complex Chapter 11 cases, where he represents debtors, creditors' committees, purchasers, and investors.

Andrew writes and speaks frequently about bankruptcy matters and financial issues. Before becoming a lawyer, he worked in senior financial management at a midsize, privately held company.

EXPERIENCE

- > **Dots LLC:** Bankruptcy counsel to a national clothing retailer with 400+ locations. Negotiated, documented, and obtained Bankruptcy Court approval of \$30+-million inventory liquidation sale and sale of real estate leases for 200+ locations.
- > Hoboken Municipal Hospital Authority: Special counsel to a quasi-governmental entity in the \$90 million sale of Hoboken University Medical Center in conjunction with the Chapter 11 bankruptcy case of the hospital's contracted management company.
- > **BGI Inc., f/k/a Borders Group Inc.:** Represented liquidating trust of former Borders Books retail chain in complex appellate litigation in the United States District Court for the Southern District of New York and Second Circuit Court of Appeals.
- > Residential Capital LLC: Bankruptcy counsel to various union benefits funds, insurance carriers, and investment managers in the Chapter 11 liquidation of the nation's fifth largest mortgage originator.
- > **Creditors' committees:** Hayes Lemmerz, ION Media, PCAA Parent LLC (AviStar Airport Parking), Pliant Corporation, Holsted Marketing, JB Booksellers, Sun-Times Media Group.
- > **Individual creditors:** General Motors Corporation, Ambassador Media Group.

Recent Published Decisions Include:

- > *In re BGI Inc.* - 504 B.R. 754 (S.D.N.Y. 2012): Successfully defended motion for a stay of interim distributions under a Chapter 11 plan.
- > *In re RoomStore Inc.* - 473 B.R. 107 (Bankr. E.D. Va. 2012): Successfully defended attempted hostile takeover of Chapter 11 debtor's LLC subsidiary by minority equity holder.

HONORS & AWARDS

- > **New Jersey Rising Stars (2016-2018)**
Recognized for work in Bankruptcy: Business and Appellate

NEWS & INSIGHTS

Publications

- > October 2019
"Cannabis and Banking...What You Need to Know as a Credit Executive," *CRF White Paper Brief*
Jeffrey D. Prol, Bruce S. Nathan, Andrew David Behlmann, Jeremy D. Merkin
- > 4Q 2018
"The Pitfalls of Using Browsewrap Agreements for E-Transactions," *Credit Research Foundation CRF News*
Bruce S. Nathan, Andrew David Behlmann, Michael Papandrea

- > October 9, 2017
"So, You Think You Can Avoid a Fraudulent Transfer?," *New Jersey Law Journal*
 Bruce D. Buechler, Andrew David Behlmann
- > January 2017
"U.S. Supreme Court Questions Constitutionality of New York Credit Card Surcharge Ban as a Regulation of Commercial Speech," *CRF News*
 Bruce S. Nathan, Andrew David Behlmann
- > March 6, 2014
"Circuits Still Split Over Enviro Fines in Bankruptcy," *Law360*
 Richard F. Ricci, Andrew David Behlmann

In the Media

- > December 7, 2019
 Lowenstein's retention as counsel to the Official Committee of Unsecured Creditors in the bankruptcy case of **Bumble Bee Foods** is highlighted in the **Global Legal Chronicle**. The Lowenstein team includes **Andrew David Behlmann, Eric Chafetz, Michael A. Kaplan,** and **Myles R. MacDonald**. **View Lowenstein's news announcement about this retention.**
- > November 6, 2019
Kenneth A. Rosen and **Andrew Behlmann's** representation of investment bank **B. Riley Financial** and its affiliate, **Great American Group**, is highlighted in the **Global Legal Chronicle**. **View Lowenstein's news announcement about this representation.**
- > October 31, 2019
 As reported in [Law360](#), a Southern District of New York bankruptcy judge approved the \$271 million sale of the assets of upscale fashion retailer Barney's New York. A joint venture between Authentic Brands Group (ABG) and investment bank B. Riley Financial Inc., a Lowenstein Sandler client, was the successful buyer. B. Riley affiliate Great American Group will oversee the liquidation of the retailer's store and other assets, while ABG will license the brand name, keeping the Barney's brand alive. The Lowenstein team representing B. Riley included **Kenneth A. Rosen** and **Andrew David Behlmann**. According to Behlmann, "The face of modern retail, especially in the fashion space, continues to shift in unprecedented ways. Barney's has been a leading force in premium fashion for almost 100 years, and we are glad that the brand will live on." (*subscription required to access article*)
- > October 15; November 30; December 18, 2018
StreetInsider.com, The Deal, citybizlist, The PE Hub Network (October 15, 2018; December 18, 2018), MarketWatch, Law360, Global Legal Chronicle, and **Business Wire** note Lowenstein Sandler as counsel to Cambium Learning Group, Inc. in its \$900 million definitive merger agreement with Veritas Capital. (Lowenstein deal team: **Steven E. Siesser, Elisia M. Klinka, Brooke A. Gillar, Michael J. Mueller, Lauren M. Troeller, Bianca V. Barraza, Lowell A. Citron, Jeffrey Blumenfeld, Jack Sidorov, Jeffrey M. Shapiro, Steven M. Skolnick, Kate Basmagian, Scott Siegel, Lesley P. Adamo, Sophia Mokotoff, Darren Goodman, Megan Monson, Katie R. Glynn, David W. Field, Michael A. Kaplan, Eric Jesse, Nicholas G. Mehler, Steven M. Hecht, Sean Collier, Edward J. Hunter, Zarema A. Jaramillo, Andrew David Behlmann,** and **Gina M. Seong.**) (*subscription required to access certain content*) **View Lowenstein's news announcement about this transaction.**
- > May 16, 2018
 The **Global Legal Chronicle** highlights Lowenstein Sandler's selection as legal counsel to represent Gibson Brand's Official Committee of Unsecured Creditors in its Chapter 11 bankruptcy proceedings. The article notes that the Lowenstein team is led by **Jeffrey Cohen** and **Kenneth A. Rosen** and includes **Wojciech F. Jung, Andrew David Behlmann, Scott Cargill,** and **Keara Waldron**. Lowenstein's Delaware co-counsel on the engagement is Adam Landis of Landis Rath & Cobb LLP.
- > January 29, 2018
 The **Global Legal Chronicle** lists **Mary E. Seymour** and **Andrew David Behlmann** as the leaders of the Lowenstein team serving as legal counsel in the Chapter 11 bankruptcy proceedings of the Official Committee of Unsecured Creditors of Windsor Marketing Group (WMG).
- > October 16, 2017
Andrew David Behlmann is quoted in **Law360** regarding the Chapter 11 bankruptcy proceedings of Performance Sports Group in Wilmington, Delaware. Representing the Plumbers and Pipefitters National Pension Fund, the court-appointed lead plaintiff in a federal securities class action pending in the Southern District of New York, Behlmann argued at a joint U.S. and Canadian hearing against a motion filed by a competing constituency seeking disallowance of a class claim on behalf of the class in the securities litigation.

SPEAKING ENGAGEMENTS

- > Presenter, **The Perfect Storm: Preparing for and Dealing with The Upcoming Corporate Debt Crisis**, National Association of Credit Management, Webinar, December 2, 2019
- > Presenter, **Terms of (Un)endearment: Evaluating and Responding to Customers' Efforts to Obtain Extended Credit Terms**, Federation of Credit and Financial Professionals Webinar, November 13, 2019
- > Presenter, **Terms of (Un)endearment: Evaluating and Responding to Customers' Efforts To Obtain Extended Credit Terms**, National Association of Credit Management Book Publishers Credit Group, New York, NY, October 2, 2019
- > Presenter, **Terms of (Un)endearment: Evaluating and Responding to Customer Terms Pushback**, ABC-Amega Webinar, September 10, 2019
- > **Shielding Your Bottom Line From the Corporate Debt Crisis**, National Chemical Credit Association (NCCA) Quarterly Credit Meeting, New York, NY, May 17, 2019
- > Presenter, **Sears/Kmart, Toys "R" Us, and More**, National Media Credit Professionals, Sponsored by: ABC-Amega Inc., New York, NY, January 15, 2019
- > Presenter, **Protecting Your Company In The Internet Age: The Role of Social Media in Credit and Collection**, ABC-Amega Webinar, November 28, 2018

- > Speaker, **Protecting Your Company In The Internet Age: The Role of Social Media in Credit and Collection**, Business Credit Intelligence Credit Summit 2018, New York, NY, November 13, 2018
- > Speaker, **Retail Distress in 2018 and Beyond: Shielding Your Bottom Line From the Apocalypse**, 2018 GHTA Annual Conference, Phoenix, AZ, October 25, 2018
- > Presenter, **Protecting Your Company In The Age of Electronic Transactions and Social Media: Where The Click Is Mightier Than The Pen**, National Business Credit Exchange, Secaucus, NJ, September 17, 2018
- > Presenter, **Protecting Your Company In The Age of Electronic Transactions and Social Media**, Credit Research Foundation Credit Accounts Receivable Forum and Expo, JW Marriott Orlando, Grange Lakes, Orlando, FL, August 13, 2018
- > Presenter, **The Impact of Private Equity and Hedge funds on Trade Creditors' Rights**, CreditRiskMonitor, July 25, 2018
- > Presenter, **Protecting Your Company In The Internet Age: The Role of Social Media in Credit and Collection**, National Chemical Credit Association, June 27, 2018
- > **A Cautionary Tale of the 4 Cs of Credit in the Age of Electronic Transactions and Social Media**, NACM Credit Congress and Expo, Phoenix, AZ, June 12, 2018
- > Presenter, **Protecting Your Company in the Digital Age**, 2018 NACM Commercial Services Annual Meeting, Portland, OR, April 19, 2018
- > **The Retail Apocalypse and Its Impact on the Trade**, 2018 GAIN-PGI Educational Conference, San Francisco, CA, April 5, 2018
- > Presenter, **Electronic Transactions, Where The Click Is (Sometimes) Mightier Than the Pen**, National Association of Credit Management, Indianapolis, IN, November 16, 2017
- > Presenter, **Electronic Transactions, Where The Click Is (Sometimes) Mightier Than the Pen**, National Association of Credit Management, Chicago, IL, October 19, 2017
- > Presenter, **Electronic Transactions, Where The Click Is (Sometimes) Mightier Than the Pen**, Association of Corporate Counsel/New Jersey All Day CLE Conference, September 15, 2017
- > Presenter, **Protecting Your Company's Credit & Collections in the Internet Age**, ABC/Omega Webinar, September 14, 2017
- > Presenter, **Electronic Transactions, Where the Click is (Sometimes) Mightier Than the Pen**, National Association of Credit Management Connect, St. Louis, MO, September 12, 2017

EDUCATION

- > Seton Hall University School of Law (J.D. 2009), magna cum laude; Order of the Coif
- > University of Missouri-Saint Louis (B.S. 2005), Business Administration-Finance and Accounting; Beta Gamma Sigma

ADMISSIONS

- > New Jersey