



Michael Papandrea

Associate

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Michael provides counsel to debtors, creditors' committees, individual creditors, liquidating trustees, and other interested parties with respect to corporate bankruptcy and creditors' rights matters, including bankruptcy-related litigation.

Reliable and efficient, Michael is appreciated for his innate ability to effectively apply and communicate his understanding of the law and general business principles with respect to complex issues, both while providing advice to clients and while aggressively advocating on their behalf. Michael works tirelessly to understand clients' needs and provide practical solutions that are reasonable, balanced, and favorable to the clients he serves.

Michael takes pride in his commitment to the community and provides pro bono representation to individuals and a nonprofit organization regarding bankruptcy and foreclosure-related matters.

Prior to joining the firm, Michael held multiple clerkships in the U.S. Bankruptcy Court; he clerked for the Hon. Jerrold N. Poslusny, Jr. (District of New Jersey), the Hon. Ashely M. Chan (Eastern District of Pennsylvania), and the Hon. Gloria M. Burns (Chief Judge, District of New Jersey). Michael applies the valuable insights learned from working closely and directly with these members of the judiciary to his everyday practice.

HONORS & AWARDS

- > **American Bankruptcy Institute: Medal of Excellence Recipient**
- > **The Best Lawyers in America (2022)**
Recognized as "One to Watch" in the Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law sections

NEWS & INSIGHTS

Publications

- > October 2021
"Critical Vendor Status Is Not a Preference Defense Without 'Something More,'" *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > September 2021
"The 'Home Field' Venue Defense to Small Preference Claims: Going, Going, Gone?," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > August 2021
"Electricity: It's Electric! It's Shocking! But Is It a Good?," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > July 2021
"Third Circuit Rejects Triangular Setoff: The Feeling Is Not Mutual," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > June 1, 2021
"Preference Defense in the Wake of the Pandemic: A Primer," *Lowenstein Sandler LLP*
Bruce S. Nathan, Andrew Behlmann, Michael Papandrea, Arielle B. Adler
- > May/June 2021
"Second Circuit Dismisses Appeal of Critical Vendor Order in Windstream Holdings," *Business Credit*
Bruce S. Nathan, Michael Papandrea

- > March/April 2021
"Additional Preference Protection in Recent Stimulus Legislation: Reality or Illusion?," *Business Credit*
Bruce S. Nathan, Eric Chafetz, Michael Papandrea
- > Q1 2021
"The Recent COVID-19 Legislation's Bankruptcy Code Amendments of Interest to Trade Creditors," *Perspective by CRF*
Bruce S. Nathan, Michael Papandrea
- > January 1, 2021
"Reclamation Rest in Peace? The Eighth Circuit Will Soon Weigh in," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > November/December 2020
"Bankruptcy Court Chooses Dismissal Over Conversion Based on the Support of the Debtor and All Key Creditors," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > September/October 2020
"Critical Vendor Treatment May Not Absolve Trade Creditors from Preference Risk," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > July/August 2020
"Claims Buyers Beware: Your Shiny New Claim May Face Avoidance Risk," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > June 2020
"A Victory Notched for Critical Vendors in Windstream Holdings," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > May 2020
"Seventh Circuit Upholds Chapter 11 Secured Lenders' Priority over Reclamation Claimants," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > April 1, 2020
"Preference Defense Primer Update: Diligence Can Pay Off!," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > March 31, 2020
"Sears (MOAC v. Transform): Landlord May Rest (Adequately) Assured of 'Similar' Financial Condition and Operating Performance, But Not Necessarily Tenant Mix," *Bankruptcy and Real Estate Client Alert*
, , Daniel A. Suckerman, Michael Papandrea
- > March 2020
"Delaware District Court Affirms Bankruptcy Court's Rejection of Triangular Setoff as Impermissible in Bankruptcy," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > February 2020
"Are Creditors with Partially Disputed Claims Eligible to Join an Involuntary Bankruptcy Petition? The Saga Continues...," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > January 2020
"Does the Equal Credit Opportunity Act Apply to Spousal Guarantors? The Eleventh Circuit Says No," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > November/December 2019
"The Importance of a Proper Collateral Description in a UCC Financing Statement," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > July/August 2019
"Consignment the Wrong Way: The Unfortunate Plight of the Unperfected Consignor," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > June 2019
"Unperfected Consignors Be Warned: You Could Lose Your Goods and Proceeds," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > May 2019
"Is the Preference New Value Defense Limited to Unpaid New Value? The Saga Continues," *Business Credit*
Bruce S. Nathan, Michael Papandrea
- > April 2019

"Are Creditors With Partially Disputed Claims Eligible to Join an Involuntary Bankruptcy Petition? Yes and No!," *Business Credit*

Bruce S. Nathan, Michael Papandrea

> March 2019

"Consignment Without a UCC Filing? What Secured Lenders Know Can Hurt Them," *Business Credit*

Bruce S. Nathan, Michael Papandrea

> 4Q 2018

"The Pitfalls of Using Browsewrap Agreements for E-Transactions," *CRF News*

Bruce S. Nathan, Andrew Behlmann, Michael Papandrea

> November/December 2018

"Eleventh Circuit Approves Paid New Value Defense to Preference Liability," *Business Credit*

Bruce S. Nathan, Michael Papandrea

> September/October 2018

"Nonconsensual Release of Claims Against Non-Debtor Guarantors Approved in Chapter 15 Case," *Business Credit*

Bruce S. Nathan, Michael Papandrea

> June 28, 2018

"Prudent Collection Action May Be Hazardous to Your Preference Defense," *CRF Special Educational Brief*

Bruce S. Nathan, Michael Papandrea

> June 4, 2018

"Disentangling From an Alter Ego in Bankruptcy Court," *Construction Executive*

Eric Chafetz, Michael Papandrea

> October 5, 2017

"AE Liquidation: Does the Third Circuit Provide Little Warning to Employees of Distressed Companies?," *Global Banking & Finance Review*

Eric Chafetz, Michael Papandrea

> March 2017

"Are Section 503(b)(9) Claims Being Taken Seriously?," *Journal of Corporate Renewal*

Kenneth A. Rosen, Michael Papandrea

> Summer 2015

"Should We Really Discharge the Student Loan Debt Discharge Exception?," *Rutgers Journal of Law & Public Policy*

Michael Papandrea

In the Media

> September 16, 2020

Michael Papandrea is quoted in *Reorg's Americas Middle Market*, where he explains the Creditors' Committee's position regarding the Debtors' plan confirmation process during yesterday's hearing in the Sur La Table bankruptcy cases. *(subscription required to access article)*

> March 26, 2020

Lowenstein's retention as counsel to the Official Committee of Unsecured Creditors in the Chapter 11 bankruptcy case of **Modell's Sporting Goods** is highlighted in the *Global Legal Chronicle*. The Lowenstein team includes **Jeffrey Cohen, Nicole Fulfree, and Michael Papandrea**. **View Lowenstein's news announcement about this retention.**

> February 19-20; March 8; April 15; May 20; June 22, 2019

Lowenstein Sandler's role as legal counsel to Aceto Corporation in its Chapter 11 bankruptcy filing and in the proposed \$338 million sale of its chemical business assets to New Mountain Capital is highlighted in **Bankrupt Company News, MarketWatch, GlobeNewswire, Markets Insider, StreetInsider.com, EIN Presswire, MarketScreener.com**, and the *Global Legal Chronicle (May 20, 2019; June 22, 2019)*. The firm's role as legal counsel in Aceto's sale of subsidiary Rising Pharmaceuticals, Inc. is noted in **The Associated Press, MarketScreener.com**, and the *Global Legal Chronicle*. (Lowenstein team: **Kenneth A. Rosen, Steven E. Siesser, Paul Kizel, Michael S. Etkin, Jeffrey Cohen, Wojciech F. Jung, Philip J. Gross, Michael Savetsky, and Michael Papandrea**.) *(subscription required to view certain content)* **View Lowenstein's news announcements about this representation: March 18, 2019; May 13, 2019.**

> February 19-20; March 8, 2019

Lowenstein Sandler's role as legal counsel to Aceto Corporation in its Chapter 11 bankruptcy filing and in the proposed \$338 million sale of its chemical business assets to New Mountain Capital is highlighted in **Bankrupt Company News, MarketWatch, GlobeNewswire, Markets Insider, StreetInsider.com, and EIN Presswire**. The firm's role as legal counsel in Aceto's sale of subsidiary Rising Pharmaceuticals, Inc. is noted in **The Associated Press and MarketScreener.com**. (Lowenstein team: **Kenneth A. Rosen, Steven E. Siesser, Paul Kizel, Michael S. Etkin, Jeffrey Cohen, Wojciech F. Jung, Philip J. Gross, Michael Savetsky, and Michael Papandrea**.) *(subscription required to view certain content)* **View Lowenstein's news announcement about this transaction.**

SPEAKING ENGAGEMENTS

> Presenter, **Don't Sweat the "Small" Stuff on Small Business Chapter 11 Cases**, Federation of Credit & Financial Professionals, Webinar, September 24, 2021

- > Presenter, **Small Business Reorganizations Under Subchapter V of the Bankruptcy Code: Trade Creditors Need Not Sweat the Small Stuff**, NACM, Webinar, July 26, 2021
- > Presenter, **Recent Stimulus Changes to the Bankruptcy Code**, Credit Research Foundation, Webinar, June 4, 2021
- > Presenter, **Bankruptcy Alternatives: The Impact on Trade Creditors**, Credit Research Foundation, Webinar, April 20, 2021
- > Speaker, **Recent Stimulus Legislation's Changes to the Bankruptcy Code**, National Association of Credit Management (NACM), Webinar, March 15, 2021
- > Presenter, **Cutting Edge Bankruptcy Issues**, ABC-Amega, Webinar, February 23, 2021
- > Speaker, **Bankruptcy Outlook and Considerations for 2021: Strumming Along or Too Much Treble?**, Reimer Music and Sound Credit Managers Meeting , Webinar, January 28, 2021
- > Presenter, **Potential Onslaught of Bankruptcy Filings**, National Media Credit Professionals (NMCP), Webinar, June 9, 2020
- > Presenter, **Terms of (Un)endearment: Evaluating and Responding to Customer Terms Pushback**, ABC-Amega Webinar, September 10, 2019
- > Presenter, **Non-Bankruptcy Alternatives**, National Association of Credit Management Book Publishers Credit Group, New York, NY, August 7, 2019

EDUCATION

- > Rutgers Law School (J.D. 2014), *Rutgers Journal of Law & Public Policy*
- > The College of New Jersey (B.S. 2010), Criminology

ADMISSIONS

- > New York
- > New Jersey