



## Robert M. Hirsh

Partner

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Relied upon by clients for his skill at developing unique solutions to complex matters, Robert focuses his practice on debtor-in-possession (DIP) financing, exit financing, and distressed and special situation financing. He also has substantial experience in Chapter 11 proceedings, representing creditor committees, acquirers, fiduciaries, indenture trustees, bondholders, boards of directors, and other significant parties in complex restructurings both in and out of court.

Robert's diverse and extensive experience spans a wide array of industries, with a particular emphasis on health care (including long-term care and senior living), manufacturing, oil and gas, energy, mining and exploration, life sciences, e-commerce, and hospitality.

## EXPERIENCE

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> **Representation of DIP Lender:**

Bouchard Transportation, Inc.; George Washington Bus Terminal; Zohar Funds; Granite City Foods; Insight Terminal Solutions, Inc.; Senior Care Center, LLC

> **Representation of Lender:**

CEC Entertainment (Chuckey Cheese); Burrana Holdings; Glamsquad, Inc.; WiLine Networks Corp.

> **Representation of the Creditors Committee:**

Exide Technologies, Inc.; Hygea Holdings Corp.; Arandell Corporation; Avadim Healthcare, Inc.

> **Representation of Creditors and Acquirers:**

Carbonlite Holdings; Consulate Healthcare, Inc.; Gulf Coast Healthcare, Inc.; Hanjin Shipping and Center City Hospital

## NEWS & INSIGHTS

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### Publications

> June 23, 2020

**"Is It Time to Become a Distressed Lender? How PE Sponsors Can Pivot to a Bankruptcy-Lending Strategy While Managing Attendant Risks,"** *Private Equity Law Report*

Robert M. Hirsh, Phillip Khezri

> April 1, 2020

**"When Financial Stress Turns to Distress—Restructuring Tools to Avoid Disaster Parts 1 and 2: Chapter 11 Checklist and What Else Is in the Toolbox,"** *Bankruptcy & Restructuring Department*

Kenneth A. Rosen, , Jeffrey Cohen, Jeffrey D. Prol, Andrew Behlmann, Eric Chafetz, , Michael S. Etkin, Robert M. Hirsh, Wojciech F. Jung, Bruce S. Nathan, Mary E. Seymour

> March 20, 2020

**"Critical Checklists for Business Owners and Management to Mitigate Risk of Financial Distress During the COVID-19 Crisis,"** *Bankruptcy & Restructuring Department*

Kenneth A. Rosen, , Jeffrey Cohen, Jeffrey D. Prol, Andrew Behlmann, Eric Chafetz, , Michael S. Etkin, Robert M. Hirsh, Wojciech F. Jung, Bruce S. Nathan, Mary E. Seymour

### In the Media

> June 7, 2021

**Robert M. Hirsh** comments in **S&P Global Market Intelligence** on whether the low number of recent corporate bankruptcies can last. Hirsh says that many companies stayed afloat during the pandemic thanks to federal stimulus funds and last-minute financing but notes that "you can't kick the can down the road forever."

> April 7, 2021

**Robert M. Hirsh** is interviewed in **S&P Global** about the recent spike in U.S. corporate bankruptcy filings. Hirsh believes the number of bankruptcy filings in 2021 will be lower than expected, with a "possible uptick in the fourth quarter." He says, "Access to capital will keep companies out of court, while restructurings and recapitalizations can also be achieved outside of the bankruptcy process."

- > March 30, 2021  
**Reorg** reports that Bouchard Transportation debtors have filed a motion requesting the approval of a \$90 million new-money replacement DIP facility with Lowenstein client **JMB Capital Partners Lending**. The debtors argue that access to the multidraw replacement DIP is critical for them to continue to pay wages and benefits, undisputed trade and maritime lienholder claims, repair vessels, and fund general operating expenses. The hearing on the replacement DIP motion is scheduled for Monday, April 5. Lowenstein's team includes **Robert M. Hirsh, Michael A. Buxbaum, Lowell A. Citron, Phillip Khezri, Patricia K. Perez, and Brent Weisenberg**. (*subscription required to access article*).
- > September 2, 2020  
Lowenstein's retention as counsel to the Official Committee of Unsecured Creditors in the Chapter 11 bankruptcy case of **Arandell Holdings** is noted in the **Global Legal Chronicle**. The third-largest printer of catalogs in the United States, Arandell provides production and delivery of higher-end catalogs and other promotional products, along with related data analytics services. The Lowenstein team is led by **Bruce D. Buechler, Andrew Behlmann, and Robert M. Hirsh**. **View Lowenstein's news announcement about this retention**.
- > June 17, 2020  
Lowenstein's role in securing recovery for the benefit of the Official Committee of Unsecured Creditors (Committee) in the confirmed plan of reorganization in the Chapter 11 bankruptcy cases of medical practice owner **Hygea Holdings Corp.** (Hygea) and its affiliates is highlighted in the **Global Legal Chronicle**. The Lowenstein team included **Joseph J. DiPasquale, Robert M. Hirsh, Rachel Maimin, Eric R. Suggs, John P. Schneider, Phillip Khezri, Colleen M. Maker, and Jeremy D. Merkin**. **View Lowenstein's news announcement about this outcome**.
- > April 16, 2020  
Lowenstein partner **Robert M. Hirsh** is quoted in **California Apparel News** regarding the Chapter 11 bankruptcy filing of denim brand True Religion. Hirsh comments on the overall state of the apparel industry and considers the future of True Religion and similar companies.
- > April 14, 2020  
**Robert M. Hirsh** is quoted in **Bloomberg** regarding the current state of bankruptcy filings and the means by which the court system is adapting in order to accommodate the anticipated wave of bankruptcy filings following the coronavirus pandemic.
- > February 4, 2020  
**Law360** and **Bloomberg Law – Big Law Business** report on **Robert M. Hirsh** joining Lowenstein Sandler's **Bankruptcy & Restructuring Department** as partner. Hirsh chose Lowenstein because it is an "exceptional platform" that fits well with his focus on health care institutions. **Kenneth A. Rosen**, Chair of the firm's bankruptcy practice, says that Hirsh's "deep knowledge of specialty lending and his national reputation for creditor committee representations ... will bring further innovation and extraordinary results to our clients." (*subscription required to access certain content*)

## SPEAKING ENGAGEMENTS

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- > Presenter, **Responding To A Troubled Customer In The Post-Pandemic World**, National Health Care Credit Exchange, Webinar, August 10, 2021

## EDUCATION

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- > Brooklyn Law School (J.D. 1998)
- > Brandeis University (B.A. 1995), cum laude

## ADMISSIONS

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- > New York
- > New Jersey
- > U.S. District Court for the District of New Jersey
- > Supreme Court of New Jersey
- > New York State Court of Appeals
- > U.S. District Court for the Eastern District of New York
- > U.S. District Court for the Northern District of New York
- > U.S. District Court for the Southern District of New York
- > U.S. District Court for the Western District of New York
- > U.S. District Court for the Southern District of Texas