



## SHERYL P. GIUGLIANO / PARTNER

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### EDUCATION

- St. John's University School of Law (LL.M., 2010)
- St. John's University School of Law (J.D., 2008)
- University of Michigan (B.A. in Political Science, 2003)

### PRACTICE AREAS

- Commercial Litigation
- Corporate & Securities
- Corporate Restructuring & Bankruptcy
- Financial Services, Banking & Bankruptcy
- Securities Disputes and Enforcement

Sheryl P. Giugliano is a Partner at Ruskin Moscou Faltischek, P.C., and a member of the Corporate Restructuring & Bankruptcy Practice Group, the Corporate and Securities Department, and Commercial Litigation Department. Her experience includes restructuring, bankruptcy, and litigation. Sheryl works with companies facing solvency issues to identify a solution and implement a strategic response, which includes negotiating with interested parties, creditors, and shareholders, and may also include filing for bankruptcy protection, or facilitating an out-of-court wind down.

She represents middle-market companies facing operational or litigation issues, guiding them through the Chapter 11 or Chapter 7 process to a successful reorganization or liquidation. Sheryl also represents trustees and receivers by assisting in the analysis and recovery of assets and prosecution of litigation claims, as well as secured and unsecured creditors identifying and enforcing their rights, assisting in their efforts to extend financing or consent to the use of cash collateral. In addition, Sheryl has represented contract counterparties negotiating for the highest possible cure payment or claim, defendants in preference and fraudulent conveyance actions (both in bankruptcy litigation and negotiating settlements to avoid protracted litigation), and purchasers in bankruptcy auctions.

As a member of the Corporate & Securities Department, Sheryl represents both early stage and middle market businesses on a variety of financial and other legal issues, including mergers and acquisitions, financings and other complex business transactions and agreements. Sheryl also advises clients with respect to corporate governance issues and related matters.

Sheryl's litigation experience includes representing parties in bankruptcy litigation and general commercial matters. She has represented parties engaged in contract disputes in state and federal court, as well as arbitration matters before AAA and JAMS, and mediation, successfully and efficiently represents clients to achieve the optimal outcome.

Sheryl was selected as a New York Metro "Rising Star" by Super Lawyers for 2015-2022 as well as "Super Lawyer" for 2024 and is also included in the 2025 edition of The Best Lawyers in America® for her work in Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law.

She earned her LL.M. degree in Bankruptcy from St. John's University School of Law, where she is also an adjunct professor for the Bankruptcy Practice Litigation Spring 2025 JD/LLM course. Sheryl has utilized her extensive experience in bankruptcy to expand her practice as a business-oriented lawyer.

Sheryl is admitted to practice law in the state of New York.

### Publications

- "Receivership: An Old Tool with a New Trick in Cannabis", Journal of Corporate Renewal, Turnaround Management Association, November 2024, Co-author.
- "Corporate Transparency Act 101: Tips for Business and Restructuring Fiduciaries", AIRA Journal, January 2024, Co-author.
- "Good Faith, Not Good Intentions, Required for Chapter 11 In the 3rd Circuit", Journal of Corporate Renewal, March 2023, Author.
- "With Lenders Asleep at the Wheel, Unsecured Creditors Should Consider Involuntary Bankruptcy," American Bankruptcy Institute Journal, January 2022, Co-author.
- "Judicial Operations During COVID: Lessons Learned That May Remain After COVID," AIRA Journal, Vol. 34 No. 3, 2021, Co-author.
- "Compensation for Services Rendered Prior to Retention Order is Authorized, Even Without Nunc Pro Tunc Approval," The Bankruptcy Strategist, July 2020.
- "SCOTUS: No Safe Harbor Protection Where Financial Institutions are Mere Intermediaries," The Bankruptcy Strategist, April 2018.
- "Expansion of the Barton Doctrine to Unsecured Creditors' Committees," The Bankruptcy Strategist, April 2017.
- "The Intent of Section 546(e)," The Bankruptcy Strategist, February 2017.
- "Seventh Circuit Takes the Road Less Traveled, and Looks to the Substance of 546(e)," The Bankruptcy Strategist, September 2016.
- "Valuing Bids in Bankruptcy Auctions," The Bankruptcy Strategist, March 2016, Co-author.
- "Spotlight on the Section 546(e) Rift," Law360, November 2015.
- "Assignment of Rents: Substance Over Form and Meaning of 'Property of the Estate'," Bloomberg BNA Real Estate Law & Industry Report, Vol. 6, No. 4, February 2013, Co-author.

## Speaking Engagements

- Co-Chair, “23rd Annual Advanced Restructuring and Plan of Reorganization Conference”, Association of Insolvency and Restructuring Advisors (AIRA) (November 18, 2024).
- Panelist and Moderator, American Bar Association, Tips for Handling a Contested Hearing in Bankruptcy Court (June 27, 2024).
- Panelist, Bankruptcy Alternatives: Hear from Industry Experts About Alternatives to Bankruptcy and Strategic Options When Facing Corporate Distress (May 8, 2024).
- Panelist, New York State Bar Association’s Spring 2024 Annual Meeting, Bankruptcy Basics for Commercial Litigators Panel (NYSBA) (May 18, 2024).
- Panelist, Corporate Transparency Act – What Financial Professionals Need To Know About Beneficial Ownership Reporting (March 21, 2024).
- Panelist, Listen and Learn: Reporting Requirements of the Corporate Transparency Act (January 23, 2024).
- Panelist, New York State Bar Association’s 2024 Annual Meeting, Everything You Wanted to Know About Bankruptcy But Were Afraid to Ask Panel (NYSBA) (January 17, 2024).
- Moderator, 22nd Annual Advanced Restructuring and Plan of Reorganization Conference - Subchapter V Update, Association of Insolvency and Restructuring Advisors (AIRA) (November 13, 2023).
- Co-Chair, “22nd Annual Advanced Restructuring and Plan of Reorganization Conference”, Association of Insolvency and Restructuring Advisors (AIRA) (November 13, 2023).
- Co-Moderator, “Navigating Industry Trends – Insights from Women in Achievement”, New York Institute of Credit (NYIC) (November 8, 2023).
- Panelist, “What Every Attorney Needs to Know about Bankruptcy Law but is Afraid to Ask”, St. John’s University School of Law (October 24, 2023).
- Co-Moderator, “Plan Confirmation Issues: Recent Decisions and Hot Topics”, New York City Bar (October 18, 2023).
- Panelist, “What Every Attorney Needs to Know About Bankruptcy Law But is Afraid to Ask”, FBA EDNY Young Lawyers Division and Touro University Jacob D. Fuchsberg Law Center (April 20, 2023).
- Presenter, NYIC 16th Annual Women in Achievement Awards (February 8, 2023).
- Moderator, Annual AIRA & NYIC Virtual Program Litigation Funding Panel (January 19, 2023).
- Co-Moderator, “Will They, Won’t They? A Discussion of Cliffhangers Before the Next Possible Recession” New York Institute of Credit - Women’s Division, New York, New York (November 16, 2022).
- Moderator, “Texas Two-Step, Hoosier Hop or Fox Trot?”, AIRA 21st Annual Advanced Restructuring & Plan of Reorganization Conference (November 14, 2022).
- Co-Chair, AIRA 21st Annual Advanced Restructuring & Plan of Reorganization Conference (November 14, 2022).
- Moderator, TMA Long Island Judiciary Night (November 2, 2022).
- Moderator, “What’s Your Marathon?” New York Institute of Credit - Women’s Division, New York, New York (April 20, 2022).
- Panelist, “The Procedural Life of a Subchapter V Bankruptcy Case - Let’s Get Granular,” Brown Bag Lunch - Chapter 11 Lawyers’ Advisory Committee for the U.S. Bankruptcy Court E.D.N.Y. (Virtual) (March 11, 2022).
- Panelist, Clearing the Last Hurdle in Chapter 11 – Evolving Confirmation Issues That May Trip the Unwary, New York, New York (June 22, 2021).

- Co-Speaker, The Hidden Opportunities (and potential threats) In Financially Distressed Situations, Uniondale, New York (2021).
- Co-Chair, 20th Annual Advanced Restructuring & Plan of Reorganization Conference, Association of Insolvency & Restructuring Advisors, New York, New York (November 15, 2021).
- Moderator, "USBC EDNY Pro Bono Initiative: Part 2" (September 30, 2021).
- Panelist, AIRA Annual Pre-Conference Financial Advisors' Toolbox (June 2021).
- Contributor, "Business Bankruptcy 101 for Small/Mid-Size Firm and Solo Practitioners," New York City Bar, New York, New York (March 16, 2021).
- Moderator, "Judicial Operations During COVID-19 (Who can be in the room where it happens?)," Association of Insolvency & Restructuring Advisors, New York, New York (2020).
- Co-Moderator, "Leadership: Women's Division Program: How We Are Coping During COVID," New York Institute of Credit, Virtual Smorgasbord (2020).
- Panelist, "COVID-19 Survival Skills: The New Normal and How to Adjust Your Business and Its Relationships," Turnaround Management Association – Long Island Chapter, Virtual Webinar Series (2020).
- Panelist, "A Lifeline for Small and Medium-Sized Businesses in Distress: A Practical Guide to the Small Business Reorganization Act (SBRA) as Supercharged by the CARES Act," New York City Bar Association, New York, New York (May 20, 2020).
- Moderator, "Litigation Funding Through the Life of Bankruptcy Case," Association of Insolvency & Restructuring Advisors, New York, New York (2019).
- Panelist, "Ethics: Who is the Client?," American Bankruptcy Institute, Mid-Level Professional Developmental Program, New York, New York (2019).
- Panelist, "Fraud Litigation, Enforcement & Contentious Insolvency," Knect 365 Asset Recovery in America Conference, New York, New York (2019).
- Moderator, Judiciary Night: Women in the Law – A Look Back at 50+ Years, Turnaround Management Association, Long Island Chapter (2019).
- Panelist, Business Bankruptcy Basics Part I: Creditor Strategies at the Beginning of the Bankruptcy Case, American Bar Association, Webinar (2019).
- Panelist, Business Bankruptcy Basics Part II: Creditor Strategies During the Middle and End of the Bankruptcy Case, American Bar Association, Webinar (2019).
- Panelist, Association of Insolvency and Restructuring Advisors 35th Annual Conference "Financial Toolbox," Boston, Massachusetts (2019).
- Panelist, Association of Insolvency and Restructuring Advisors 33rd Annual Conference "Financial Toolbox," Dallas, Texas (2017).
- Moderator, Creditors' Rights and Bankruptcy Litigation Committee of the Commercial and Federal Litigation Section of the New York State Bar Association, "In-House Insights in Bankruptcy Litigation," New York, New York (2017).
- Moderator, Turnaround Management Association, Long Island Chapter, "Politics and the Economy," Woodbury, New York (2016).
- Panelist, Association of Insolvency and Restructuring Advisors 32nd Annual Conference "Financial Toolbox," Coronado, California (2016).

## Memberships

- New York Institute of Credit
  - Board of Directors, Member (2022)
  - Co-President, Women's Division (2021 – Present)
  - Member (2020 – Present)
- Turnaround Management Association, Long Island Chapter
  - Co-Chair of TMA Network of Women (TMA LI NOW) (Present)
  - Board of Directors, Member (2014 - Present)
  - Vice President Programming (2020 - 2021)
  - Co-Vice President Programming (2019)
  - President (2018)
  - President Elect (2017)
  - Member (2014 - Present)
- Local Bankruptcy Rules Committee, U.S. Bankruptcy Court for the Eastern District of New York
  - Co-Chair (2024-Present)
- Chapter 11 Lawyers Advisory Committee, U.S. Bankruptcy Court for the Eastern District of New York
  - Chair (2022-2025)
  - Member (2018 - Present)
- New York City Bar Association, Bankruptcy and Corporate Reorganization Committee
  - Member (2016 - Present)
  - Voidable Transactions Subcommittee, Member (2020 - Present)
  - Confirmation Issues Subcommittee, Co-Chair (2020 - Present)
  - Third-Party Release Subcommittee, Co-Chair (2018 - 2020)
- New York State Bar Association
  - Member (2010 - Present)
  - Federal and Commercial Litigation Section, Member (2017 - Present)
  - Bankruptcy & Creditors' Rights Litigation Committee, Co-Chair (2017 - Present)
- American Bankruptcy Institute
  - Member (2010 - Present)
- The New York Bar Foundation
  - Fellow (2020-Present)
- St. John's University School of Law
  - Adjunct Professor (Present)
- American Heart Association - Go Red for Women 2024 Long Island Luncheon
  - Member of the Executive Committee (Present)



## Press Releases /Alerts

- 23andMyData: Data Privacy Concerns Amid Biotech Company's Bankruptcy (Alerts, Data Privacy & Bankruptcy Law)
- Ruskin Moscou Faltischek, P.C. Partner Sheryl P. Giugliano Appointed to the Inaugural Advisory Board of St. John's University School of Law's Center for Bankruptcy (Press Release)
- Thirty-Three Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2024 (Press Release)
- RMF Attorneys Recognized By Best Lawyers® For 2025 (Press Release)
- Sheryl P. Giugliano To Be Honored at Schneps Media 2024 Power Women of Manhattan Awards (Press Releases)
- RMF Attorney Sheryl P. Giugliano Panelist at NYSBA 2024 Annual Meeting - Bankruptcy Basics for Commercial Litigators Panel (Press Releases)
- Accountants Beware: Avoid Disclosure Violations in Bankruptcy Cases (Alerts, Corporate Restructuring & Bankruptcy)
- Sheryl P. Giugliano to Be Honored at Long Island Business News' Top 50 Women in Business Awards (Press Releases)
- RMF Attorney Sheryl P. Giugliano Reappointed To Serve Three Year Term In New York City Bar Bankruptcy & Corporate Reorganization Committee (Press Releases)
- RMF Attorneys Elizabeth S. Kase and Sheryl P. Giugliano to Present at TMA - Long Island Chapter Cannabis and Federal Law – Some of the Gray Areas (Press Releases)
- Sheryl P. Giugliano To Be Honored at Schneps Media Power Women of Long Island Awards (Press Releases)
- RMF Attorney Sheryl Giugliano Named Adjunct Professor at St. John's University School of Law (Announcement)
- Thirty-One Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2022 (Press Releases)
- Why Should a Lawyer Look at your Proof of Claim? Because Not All Claims are Equal (Alerts, Corporate Restructuring & Bankruptcy)
- Firms Need to Improve Compliance with Regulation Best Interest (Reg BI) (Alerts, Securities Disputes and Enforcement)
- RMF Attorney Sheryl P. Giugliano Named Chair the Chapter 11 Lawyers' Advisory Committee for the US Bankruptcy Court for the Eastern District of New York (Press Releases)
- Twenty-Five Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2021 (Press Releases)
- RMF Attorney Sheryl P. Giugliano Named Co-President of the Women's Division of New York Institute of Credit (Press Releases)
- What Satisfies the Due Diligence Requirement for Bringing a Preference Action? (Alerts, Corporate Restructuring & Bankruptcy)
- RMF Attorney Sheryl P. Giugliano Presents at AIRA's Annual Pre-Conference Financial Advisors' Toolbox (Announcements)
- RMF Attorney Sheryl P. Giugliano To Present At TMA Long Island's Virtual Recruitment and Informational Program (Announcements)
- RMF Attorney Sheryl P. Giugliano To Present Virtual CLE at New York City Bar (Announcements)

- Pennsylvania District Court Rules that the Automatic Stay does not Apply to Actions by the United States Department of Labor Under the Fair Labor Standards Act (Corporate Restructuring & Bankruptcy)
- Day Traders Provide Lifeline to Traditional Investors (Alerts, Corporate Restructuring & Bankruptcy)
- Consolidated Appropriations Act, 2021 (PPP II) Potentially Important Changes to the Bankruptcy Code Impacting Commercial Parties (Alerts, Corporate Restructuring & Bankruptcy)
- RMF Attorney Sheryl P. Giugliano Moderates Panel At The Association of Insolvency & Restructuring Advisors 19th Annual Advanced Restructuring and Plan of Reorganization Conference (Announcements)
- Seventeen Ruskin Moscou Faltischek Attorneys Named As New York Metropolitan Area Super Lawyers For 2020 (Press Releases)
- Ruskin Moscou Faltischek, Welcomes Sheryl P. Giugliano To The Firm. (Press Releases)
- RMF Attorney Sheryl P. Giugliano To Co-Moderate New York Institute of Credit Virtual Smorgasbord Panel (Announcements)
- Bankruptcy Q&A: What Commercial Landlords Need To Know (Articles, Corporate Restructuring & Bankruptcy)

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