



Tom Califano

Partner

GLOBAL CO-CHAIR, US CHAIR, RESTRUCTURING

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Tom Califano is a nationally recognized restructuring lawyer who regularly represents large private and public companies in distress in and out of court; buyers of distressed companies and significant creditor constituencies.

His particular emphasis is on company and buyer side representation and he has extensive experience in healthcare industry restructurings.

EXPERIENCE

Recently he has represented:

- PHI, Inc., a helicopter oil field services and medevac operator, in connection with their chapter 11 filings in the US Bankruptcy Court for the Northern District of Texas
- 4 West Holdings, Inc., Orianna Investment, Inc. and 133 affiliates, collectively a health care business that owns and operates skilled nursing homes across seven states, in its chapter 11 proceedings in the US Bankruptcy Court for the Northern District of Texas
- Senior Quality Lifestyles Corporation an operator and developer of continuing care retirement communities and two of its subsidiaries in chapter 11 proceedings in the Northern District of Texas and restructuring of their public bond
- Constellation Healthcare Technologies, a rollup of revenue cycle management, physician practice management and related businesses, and 22 affiliates representing a rollup of revenue cycle management, physician practice management and related businesses in chapter 11 proceedings in the US Bankruptcy Court for the Eastern District of New York
- Spyglass Media Group, LLC (f/k/a Lantern Entertainment LLC) in *The Weinstein Company* chapter 11 case as purchaser of the Weinstein Company assets in extensive post sale litigation
- The Independent Fiduciary of New Cotai Holdings LLC, the developer of an integrated gaming and entertainment resort in connection with their investigation of potential estate claims
- West Penn Allegheny Health System in its out of court restructuring of approximately US\$750 million in tax-free municipal bonds through negotiation with the bond trustee and largest holders

RELATED SERVICES

- Restructuring
- Mergers and Acquisitions
- Private Equity
- Corporate
- Projects, Energy and Infrastructure

RELATED SECTORS

- Energy and Natural Resources
- Financial Services
- Real Estate

CREDENTIALS

Admissions

- New York

Recognitions

M&A Advisor's 2016 M&A Advisor Awards recognized DLA Piper for its "Healthcare and Life Sciences Deal of the Year" for the Capitol Lakes Restructuring. In 2012, *M&A Advisor's* M&A Advisor Turnaround Awards recognized DLA Piper for its "Consumer Services Deal of the Year" for the Chapter 11 Bankruptcy of Alexander Gallo Holdings LLC. Tom led the teams for both deals.

The Legal 500 United States has recommended Tom and praised him for his "excellent reputation across all aspects of in and out of court restructurings." *Chambers USA* has repeatedly recognized him in the area of Bankruptcy/Restructuring. The well-respected directory has noted that he "is an aggressive and fierce advocate for his clients," and he "has expertise in advising financially troubled companies and buyers of distressed assets." Clients are "extremely impressed at his ability to control a room and get an outcome," while "[o]bservers admire that he is 'constantly thinking of new ideas and ways to help clients.'"

Tom is listed in *The Best Lawyers in America* and has been named a New York Super Lawyer. *Financial Times* commended him for his restructuring work in its 2010 US Innovative Lawyers report. Martindale-Hubbell has rated him AV, its highest available rating, since 2003.

Education

- J.D., St. John's University 1988
Member, *Law Review*
Recipient, St. Thomas More Scholarship
- B.A., St. John's University 1983

Courts

- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York

Memberships

- American Bankruptcy Institute
- Turnaround Management Association
- New York City Bar Association Bankruptcy Committee
- American Health Lawyers Association

INSIGHTS

Publications

CARES Act and eligibility under the Paycheck Protection Program

6 May 2020

The CARES Act does not expressly exclude debtors in bankruptcy from eligibility for PPP loans; however, it grants the SBA

broad rulemaking authority.

COVID-19: The benefits of US chapter 11 relief in a time of economic crisis

19 March 2020

Highlighting some of the most significant benefits of US chapter 11 for companies facing severe challenges under the current circumstances.

- Co-author, "The Role of Government Regulators in Chapter 11 Health Care Restructurings," *American Bankruptcy Institute*, October 2019
- Co-author, "Overview of Plan Support Agreements," *New York Law Journal*, June 8, 2018
- Co-author, "Avoiding HIPAA Hurdles in Healthcare Provider Chapter 11s," *TMA Journal*, April 5, 2018
- Co-author, "Healthcare restructurings: four key issues to consider before a chapter 11 filing," *JD Supra*, November 10, 2017
- Co-author, "The Intersection of Federal Civil Enforcement Claims and Health Care Restructurings," *New York Law Journal* (September 25, 2017)

Events

- Panelist, "Navigating In and Restructuring Around Bankruptcy in the COVID Age," AmTrust Title Webinar (May 20, 2020)
- Presenter, "Restructuring Healthcare Entities in Bankruptcy: Unique Challenges and Benefits of Chapter 11," Strafford Webinar (November 15, 2017)
- Panelist, "Fuse, Sever and Heal: Issues Impacting Healthcare Facilities in Bankruptcy," American Bankruptcy Institute's Winter Leadership Conference (December 2, 2016)
- Panelist, "Hot Spots in a Cold Bankruptcy World: Health Care and Energy Restructurings," National Conference of Bankruptcy Judges (October 26, 2016)
- Panelist, "Restructuring of Continuing Care Retirement Communities," ABI Live Webinar (February 3, 2016)
- Presenter, "Seeing Red: Mitigating the Risk of Bankrupt Clients," National Customs Brokers & Forwarders Association of America Annual Conference (April 23, 2015)
- Moderator, "Distressed M&A Opportunities in the Healthcare Industry and How to Execute on Them," iiBIG's 6th Annual Investment and M&A Opportunities in Healthcare Conference (January 28, 2014)
- Co-Presenter, "Unique Aspects of Asset Sales Involving Nonprofit Healthcare Businesses," Association of Insolvency and Restructuring Advisors (November 6, 2013)

NEWS

MEDIA MENTIONS

- "Abu Dhabi's NMC Health seeks US recognition to halt class actions," *Global Restructuring Review*, June 01, 2020
- "Abu Dhabi's NMC Health Seeks Ch. 15 To Shield US Assets," *Law360*, May 29, 2020
- "Why Litigation Fears Mean Firms' Phones Are Still Ringing," *Law360*, April 16, 2020
- "Bankruptcy Loans Turn Dangerous," *The Wall Street Journal*, April 8, 2020
- "Weinstein Film Rights Buyer Spared Paying Pre-Ch. 11 Profits," *Law360*, March 20, 2020
- "Orianna Doubled Down on Bankruptcy Plan—And Won," *The Wall Street Journal*, January 18, 2019
- "Bankruptcy plan for Orianna Health approved; 'toughest, most litigious case in my 30-year career,' lawyer says," *McKnight's*, January 11, 2019

- "Orianna Health's Combative Bankruptcy Closes With Consensus," *The Wall Street Journal*, January 8, 2019
- "Year in Review," *turnarounds & workouts*, December 2017
- "DLA Piper and Greenberg Traurig restructuring lawyers talk SNF restructurings," *Debtwire*, October 3, 2017