

Lynn Welter Sherman

Shareholder

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Overview

Lynn Welter Sherman represents businesses, financial institutions, trustees, creditors, landlords, debtors, committees and other parties in Bankruptcy, Creditor's Rights, and Reorganization matters. Lynn navigates these clients through all aspects of Chapter 7 and Chapter 11 bankruptcies, out-of-court workouts, loan modifications and restructurings, foreclosures, collection and enforcement of judgments, enforcement of security interests and creditors' rights litigation.

Lynn has a fondness for challenging cases involving multiple parties with overlapping issues and competing interests. Emphasizing an honest, practical, straightforward approach to her practice, Lynn focuses on reaching the best business outcome for her clients.

In bankruptcy and creditors' rights matters, clients are looking for a resolution that meets their business and financial objectives. In most cases, the more efficiently the desired outcome can be delivered, the better off clients will be. This means understanding the client's business needs, providing candid advice concerning the strengths and weaknesses of the client's position, and assessing realistic outcomes early in the relationship. Clients look to Lynn to assess the lay of the land, analyze the legal and business issues, and get them to the finish line as quickly and cost-effectively as possible.

Lynn also acts as a Mediator in bankruptcy matters.

Practice Areas

- Bankruptcy and Creditors' Rights
- Litigation and Dispute Resolution
- Mediation and Arbitration

Education

- LL.M., New York University School of Law, 1989
- J.D., Stetson University College of Law, 1983
- B.S., Florida Southern College, 1980

Representative Matters

- Representation of toxic tort plaintiffs in adversary proceeding to determine whether claims were discharged in prior Chapter 11 proceeding.
- Representation of Chapter 7 Trustee in involuntary bankruptcy of fractional airline.
- Representation of landlord in Chapter 11 litigation concerning lease termination and exercise of right of first refusal.
- Representation of ad hoc committee of former residents in Chapter 11 of continuing care retirement community.
- Representation of financial institution in avoidance action in check kiting bankruptcy.

Admissions

- Florida
- New York

Honors and Distinctions

- Fellow, American College of Bankruptcy
- Tampa Bay Bankruptcy Bar Association's Douglas P. McClurg Professionalism Award, 2022
- *The Best Lawyers in America*, Bankruptcy & Creditor Debtor Rights/Insolvency & Reorganization Law; Commercial Transactions/UCC Law; Litigation Bankruptcy, 2008-2023
 - *Lawyer of the Year*, Bankruptcy & Creditor-Debtor Rights, Bankruptcy Litigation, 2020, 2023
- *Florida Super Lawyers*, 2011-2023
 - Top 50 Women, 2014, 2015, 2017, 2018, 2020

- Top 50 Tampa, 2014
- Top 100 Florida, 2015
- *Florida Trend's Legal Elite*, Bankruptcy and Workout, 2013, 2015-2020, 2022
- *Chambers USA* Ranked, Bankruptcy/Restructuring, 2018-2020, 2022-2023
- Lawdragon 500 Leading U.S. Bankruptcy and Restructuring Lawyers, 2020, 2022-2023
- AV Rated Martindale Hubbell
- *Tampa Magazine's Top Lawyers List*, 2019, 2023-2024

Professional Involvement

- Tampa Bay Bankruptcy Bar Association
- Business Law Section of The Florida Bar
 - Former Chair of Bankruptcy Judicial Liaison Committee
 - Member, Executive Council
 - Former Chair of Bankruptcy/UCC Committee
 - Former Chair of Communications Committee
 - Vice Chair Pro Bono Committee
- American Bankruptcy Institute
 - Steering Committee for Annual Alexander L. Paskay Seminar, 2014-2018
- St. Petersburg Bar Association,
 - Bankruptcy Committee Co-Chair, 2007 to 2009
- Hillsborough County Bar Association
- International Women's Insolvency and Restructuring Confederation
 - Florida Network, Board of Directors
- William Reese Smith, Jr., American Inns of Court, 2014-present
- American Bar Association
- American Bankruptcy Institute
- Hillsborough County Bar Association
- New York State Bar Association

Thought Leadership

- "Creditor Remedies: Point/Counterpoint," Panelist, 48th Annual Alexander L. Paskay Memorial Bankruptcy Seminar, February 2024
- "Mediation Perspectives," Moderator, Business Law Section of The Florida Bar, October 2021
- ADR in Bankruptcy, Panelist, American Bankruptcy Institute 43rd Annual Alexander L. Paskay Memorial Bankruptcy Seminar, February 2019
- Avoiding Collateral Damage, Speaker, Business Law Section of The Florida Bar, April 23, 2018
- Basic Transactional Law, Speaker, Young Lawyers Division of The Florida Bar, April 5, 2018
- Bankruptcy Seminar, Guest Lecturer, Stetson University College of Law, Spring 2018
- Basic Debtor-Creditor and Bankruptcy," Speaker, Young Lawyers Division of The Florida Bar, 2017
- Eleventh Circuit Holds that Bankruptcy Rules, not Federal Rules, Apply to Cases Under Title 11 that are Tried in the District Court, Lexology, Author, April 13, 2016
- Basic Transactional Law, Speaker, Young Lawyers Division of The Florida Bar, 2015
- Supreme Court Review and Recent Case Law Update, Speaker, American Bankruptcy Institute 41st Annual Alexander L. Paskay Memorial Bankruptcy Seminar, 2017
- Great Debates: Eat Dirt! Can Secured Lenders be Forced to Take Title?, Speaker, American Bankruptcy Institute 39th Annual Alexander L. Paskay Memorial Bankruptcy Seminar, 2015
- Key Legal and Sales Issues for Bankrupt or Foreclosed Assets, Panelist, IMN Bank & Financial Institutions Special Asset Conference, 2014
- Liability for Aiding and Abetting a Fraudulent Transfer, The Cramdown, Author, Summer 2004
- Annotation - "What Constitutes 'Dealing' under UCC 3-305(2), Providing That Holder in Due Course Takes Instrument Free From All Defenses Of Any Party To Instrument With Whom Holder Has Not Dealt, 42 A.L.R. 5th 137, Author, 1996
- Business Law and Bankruptcy, Instructor, American Paralegal Institute, 1995

- Sales/UCC Article 2, Adjunct Professor, Stetson University College of Law, 1985