



# Gregory F. Fischer

## Member

## Wilmington

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Greg focuses his practice on bankruptcy and litigation matters. His clients include Chapter 7 trustees, creditors, and third parties and he has handled all manner of bankruptcy proceedings. He also assists with trustees' administration of bankruptcy estates. Greg has also represented a variety of clients in the Delaware State Courts and the United States District Court for the District of Delaware.

Prior to joining Cozen O'Connor, Greg began his legal career as a judicial clerk for Judge Robert B. Young of the Delaware Superior Court, followed by practicing at a Delaware firm focused on bankruptcy and litigation.

Greg serves as the chair of the Charitable Activities Committee for the Philadelphia/Wilmington Chapter of Turnaround Management Association. He also serves as the chapter's vice chair of membership and serves on the chapter's board of directors.

Greg earned his law degree from the Louis D. Brandeis School of Law at the University of Louisville and his undergraduate degree from Bellarmine University, with a double major in business administration and economics.

## Experience

Represented the Chapter 7 trustee in the investigation and pursuit of litigation against the debtor's former directors and officers for breach of fiduciary duty and related claims in the following cases: Samuels Jewelers, TVC/OPUS, Code Rebel, Windhaven, and Sienna Biopharmaceuticals.

Represented Chapter 7 trustee as special counsel to develop and implement auction process to sell substantially all of the assets of the estates under Section 363 of the Bankruptcy Code in the following cases: IntegraMed America, Unique Elevator Interiors LLC, Sunworks, Inc., Artemus USC LLC, ProAir, LLC, A Voce Columbus, and Lyton Partnership.

Represented the Trustee of IntegraMed America (ITMD) and nine of its affiliates in Chapter 7 proceedings. ITMD -- with more than 1,000 employees who performed all of the non-clinical functions for 19 medical practices operating almost 150 fertility clinics across the country (several of which included labs housing cryo-preserved embryos and other human tissue) -- ceased operations overnight. We quickly negotiated agreements with all 19 medical practices and ITMD's secured creditor, enabling employees to keep their jobs and the clinics to maintain their operations, which were ultimately approved by the Bankruptcy Court. We also crafted and ran a sale process, which resulted in the negotiation, approval, and consummation of seven separate sale transactions (without any issues arising with respect to the cryo-preserved human tissue) that transitioned all 19 medical practices to new owners, who assumed almost \$20 million of claims held by thousands of patients. This matter drew on the experience of the firm's Bankruptcy, Insolvency, & Restructuring; Corporate; Health Law; and Commercial Litigation attorneys.

Represented Cosi, Inc. and its six affiliates in their chapter 11 cases commenced in Delaware. One month into the chapter 11 cases, the global pandemic occurred and the resulting lockdowns caused an

## Practice Areas

- Bankruptcy, Insolvency & Restructuring

## Education

- University of Louisville Louis D. Brandeis School of Law, J.D., 2008
- Bellarmine University, B.A., *cum laude*, 2004

## Bar Admissions

- Delaware
- District of Columbia

## Affiliations

Turnaround Management Association, Philadelphia Chapter - Charitable Activities Committee; NextGen Committee

American Bankruptcy Institute

Delaware Bankruptcy American Inn of Court

Delaware State Bar Association

## Awards & Honors

- Ones to Watch, Best Lawyers in America, 2024-2025

## Clerkships

Honorable Robert B. Young, Delaware Superior Court

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immediate reduction of 85 percent of this sandwich shop chain's revenues. The company struggled for its survival, which was hampered by the longevity of the pandemic, the inability to obtain a PPP loan, and funds being exhausted under the Restaurant Revitalization Fund before its application could be acted upon. Ultimately, after dismissing its cases to attempt to obtain RRF monies, the company secured a third-party plan sponsor. We then successfully moved to reinstate the chapter 11 cases over one year after dismissal. We were able to confirm a pre-packaged plan of reorganization within sixteen days after the cases were reinstated with the unanimous support of the creditor body.

Represented over sixty insurers holding subrogation claims totaling approximately \$2 billion in the PG&E Chapter 11 cases, worked with the ad hoc committee of subrogation claimants, and negotiated a settlement resulting in a confirmed plan which will pay subrogation claims a dividend of over 60 cents on the dollar. This is one of the largest Chapter 11 cases of all time.

Secured a complete victory for five individual investors on counts of securities fraud under Section 10(b) of the Securities and Exchange Act and Rule 10b-5 thereunder, the New Jersey Uniform Securities Act (N.J.S.A. 49:3-52), and common law fraud following a four-day bench trial in U.S. District Court for the District of Delaware. The court found that the defendant fraudulently induced them to invest in what he claimed was a revolutionary pharmaceutical packaging company, and then misappropriated their funds to support his lavish lifestyle and pay back earlier undisclosed investors in classic Ponzi scheme style. The court awarded the investors the entirety of their investment losses, prejudgment interest, and punitive damages. This result was affirmed by the U.S. Court of Appeals for the Third Circuit.

Secured a unanimous *en banc* decision in favor of an insurer from the Delaware Supreme Court in a matter of first impression nationwide. The case centered on whether an appraisal action by the insured constituted a Securities Claim covered under a Directors & Officers Liability policy. The lower court found that it did, and numerous other policyholders filed coverage actions on this novel issue. After obtaining leave to take an interlocutory appeal, our team secured the reversal in our client's favor, ending the litigation.