



# Joseph J. DiPasquale

Partner

[jdipasquale@foxrothschild.com](mailto:jdipasquale@foxrothschild.com)



Morristown, NJ  
Tel: 973.548.3368  
Fax: 973.992.9125



New York, NY  
Tel: 212.878.7900  
Fax: 212.692.0940



Mobile: 973.280.5047

For over 10 years, Joe has been selected to the *Chambers USA* list of leading bankruptcy and restructuring attorneys in New Jersey.\* A seasoned dealmaker and litigator, as well as Managing Partner of the firm's Morristown office, he represents clients in complex bankruptcies, commercial litigation, corporate transactions and financial restructuring matters. Joe also serves on the firm's Executive Committee and Legal Practice Committee.

Joe's clients include businesses in the health care, hospitality, energy, real estate, retail, transportation, manufacturing and finance sectors. He serves as strategic legal adviser, lead counsel and fiduciary in high-stakes insolvencies, representing a full range of participants including:

- Creditors committees
- Chapter 7 and Chapter 11 trustees
- Debtors
- Equity holders
- Hedge funds
- Private equity
- Receivers
- Secured creditors

*\*This award is conferred by Chambers & Partners. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

## Services

- Financial Restructuring & Bankruptcy
- Bankruptcy Litigation
- Litigation
- Real Estate
- Real Estate Restructuring & Workouts
- Receiverships
- Cannabis Law

## Beyond Fox Rothschild

A frequent speaker and respected voice on bankruptcy matters, Joe moderated a year-in-review panel at the annual conference of the Association of Insolvency & Restructuring Advisors that featured U.S. Bankruptcy Judges Rosemary Gambardella (NJ), Brendan L. Shannon (DE) and Robert D. Drain (NY).

Well known in the financial services industry, Joe served on the managing board of directors of Team Capital Bank (TCB), where he chaired the board's risk committee and was involved with its 2014 merger with Provident Financial Services Inc.

Deeply involved in his community, Joe was a director on the board of Cornerstone Family Programs & Morristown Neighborhood House and previously served on the board of directors of the New Jersey Friends of Roger Williams School of Law Foundation as well as the fundraising committee of the Community Food Bank of New Jersey.

## Before Fox Rothschild

Prior to joining Fox, Joe was a New Jersey-based partner in the Bankruptcy & Restructuring Department of a national law firm. From 1994 to 1997 he was a principal in one of New Jersey's largest commercial banking firms.

After law school, Joe served as the law clerk for U.S. Bankruptcy Judge William F. Tuohey of the District of New Jersey.

## Client Resources

Joe is a regular contributor to the firm's [In Solvency](#) blog, which provides analysis, best practices and lessons learned from court rulings in key bankruptcy matters nationwide.

## Bar Admissions

- New Jersey
- New York
- District of Columbia

## Court Admissions

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. Court of Appeals, District of Columbia Circuit

## Education

- Widener University Commonwealth Law School (J.D., 1994)
- University of Padua, School of Law (1992)
  - European Economic Community Law
- Muhlenberg College (B.A., 1990)

## Memberships

- American Bankruptcy Institute
- Association of Insolvency & Restructuring Advisors
- Association of the Federal Bar of New Jersey
  - Board of Trustees (2015-2025)
  - Co-Chair, Judicial Conference (2021-2022)
  - Chair, Bankruptcy Court Committee (2020)
- National Association of Bankruptcy Trustees

- New York Institute of Credit
- Turnaround Management Association
  - Sponsorship Subcommittee, Mid-Atlantic Regional Symposium (2026)
  - Co-Chair, Mid-Atlantic Regional Symposium (2024)

## Board of Directors

- Old Dominion National Bank

## Representative Matters

- **BowFlex Inc. and certain affiliates:** Co-Counsel for BowFlex Inc. in their Chapter 11 cases in the U.S. Bankruptcy Court for the District of New Jersey. BowFlex is a global leading marketer, developer and manufacturer of health and fitness products sold under several marquee fitness brands, including Nautilus, BowFlex, Schwinn and JRNY.
- **Rite Aid Corporation and its affiliates:** Co-Counsel to the ad hoc group of second lien noteholders of Rite Aid in the U.S. Bankruptcy Court for the District of New Jersey, in connection with its restructuring of \$3.4 billion of total funded debt, including \$1.05 billion held by the ad hoc group. Rite Aid is one of largest pharmacy chains in the United States, which employs 45,000 people, including 6,100 pharmacists in 2,100 retail pharmacy locations across 17 states.
- **Francesca's and its affiliates:** Represent the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey. Francesca's is a fashion and lifestyle products retailer with 400 leased retail locations throughout the United States.
- **Balducci's New York and Kings Food Markets:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the Southern District of New York in the successfully negotiated confirmation of the Plan, resulting in the sale of 27 Kings and Balducci's stores to Acme Markets, preserving thousands of jobs, and providing a viable counterparty for hundreds of vendors.
- **OYA Renewables Development LLC and its affiliates:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of Delaware. OYA is a developer of large-scale commercial solar projects and an independent power producer that owns a portfolio of operating solar projects in various stages in North America.
- **Tattooed Chef, Inc.:** Represent the Liquidation Trustee as special litigation counsel to pursue claims and causes of action against the company's former directors and officers.
- **Custom Alloy Corporation (CAC) and its affiliate:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey. CAC is a leading global manufacturer of highly customized fittings, forgings and pipe for military defense and commercial customers.
- **Aluminum Shapes LLC:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey. Aluminum Shapes was in the business of extrusion and other processing of aluminum.
- **Gracious Home and certain of its affiliates:** Represented Gracious Home in their Chapter 11 cases in the U.S. Bankruptcy Court for the Southern District of New York. Gracious Home was one of New York City's most well-known retailers of high-end housewares and home furnishings, with multiple locations.
- **Hudson Healthcare, Inc. (HHI):** Represented HHI in its Chapter 11 case in the U.S. Bankruptcy Court for the District of New Jersey which had over \$120 million in annual revenues, several hundred contracts and leases, and over 1,400 employees and physicians, in its successful 363 sale which preserved over 1,200 jobs and relieved the City of Hoboken of its guarantee of over \$52 million in bonds.
- **Frank Theatres and its affiliates:** Represented Frank Theatres in their Chapter 11 cases in the U.S. Bankruptcy Court for the District of New Jersey. Frank Theatres was a high-end movie theater company with over 20 locations in multiple states in successful confirmation of plan of reorganization.
- **Kara Homes, Inc. and its 54 affiliates:** Represented Kara Homes as their lead special bankruptcy transactional counsel in their Chapter 11 cases in the U.S. Bankruptcy Court for the District of New Jersey, which had \$300 million in revenues and was one of New Jersey's largest home builders, and negotiated with 16 separate senior lenders involving the successful private and public 363 sales of multiple residential developments and DIP financing, which ultimately led to the confirmation of Kara's plan of reorganization.
- **Metropolaza Hotel, LLC:** Represented Metropolaza in its Chapter 11 case in the U.S. Bankruptcy Court for the District of New Jersey which owned the Woodbridge Hilton and was successful in confirmation of a liquidating plan, 363 sale and resolution with loan servicer, LNR.
- **Hygea Holdings Corp.:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of Delaware. Hygea owned multiple medical practices and had approximately \$200 million in debt.

- **New England Motor Freight, Inc. (NEMF):** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey. Successfully negotiated a settlement with NEMF's insiders and equity holders that resulted in a recovery in excess of \$6 million for creditors and assisted in the 363 sale of two NEMF subsidiaries, which led to confirmation of joint plan of liquidation. NEMF was a motor freight company with 3,745 employees, 1,500 tractors, 5,596 trailers, and 36 trucking terminals and was a leading "less-than-truckload" carrier with a focus on the Mid-Atlantic, Midwest and Northeast United States, held "the largest rolling stock auction of the last decade."
- **East Orange General Hospital:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey and successfully challenged and enhanced the original 363 sale and subsequently represented the liquidating trustee, which resulted in a 45% dividend to general unsecured creditors.
- **Mountain Creek Resorts, Inc. (MCR):** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of New Jersey. MCR is a four-season hotel resort located in Vernon, New Jersey, with 167 skiable acres on four mountain peaks along with a 25-acre waterpark.
- **Orchids Paper Products Company:** Represented the Official Committee of Unsecured Creditors in the U.S. Bankruptcy Court for the District of Delaware. Orchids Paper was a publicly traded national supplier of high-quality paper consumer tissue products.
- **Hanover Hills Surgery Center LLC:** Represented Hanover Hills in its Chapter 11 case in the U.S. Bankruptcy Court for the District of New Jersey. The center held a license issued by the New Jersey Department of Health to own and operate an ambulatory surgical facility.
- **PwC:** Represented in retention and fee-related issues on a national level.
- **71 Clinton, Inc.:** Served as the Chapter 11 trustee for 71 Clinton, Inc. and consummated the 363 sale of an apartment building located in the Lower East Side of Manhattan for approximately \$16 million, by resolving certain environmental and other issues complicating the transaction.
- **In re: Skyworks Ventures, Inc. 431 B.R. 573 (Bankr. D.N.J. 2010):** Successful dismissal of involuntary petition filed against debtor in bad faith and award of attorneys' fees, costs, and punitive damages.

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*Results may vary depending on your particular facts and legal circumstances.*

## Awards & Honors

- **Selected to the *Chambers USA Guide* list of ranked attorneys for Bankruptcy/Restructuring in New Jersey (2017-2025)**  
*This award is conferred by Chambers & Partners. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Selected to the "Best Lawyers in America" list for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law in Morristown, NJ (2016-2026)**  
*This award is conferred by Best Lawyers. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Selected to the "Super Lawyers" list for Bankruptcy: Business and Business Litigation (2008-2026)**  
*This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Selected to the "AV Preeminent" list of rated attorneys (2008-2020)**  
*This award is conferred by Martindale-Hubbell. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Selected to the "Top 100: New Jersey Super Lawyers" list (2016-2019)**  
*This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- **Involved in two deals that were selected to the list of transactions in The M&A Advisor's 14th Annual Turnaround Awards (2019)**
  - Chapter 11 restructuring of M&G Chemicals selected as "Cross-Border Restructuring of the Year"
  - Chapter 11 reorganization of New England Motor Freight (NEMF) selected as "Restructuring of the Year (\$25M to \$50M)"

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## **Publications**

December 11, 2024

**How New Jersey's Pragmatic Bankruptcy Approach Sets It Apart Post-'Purdue Pharma'**

*New Jersey Law Journal*