



Silvia Stockman

Associate

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Silvia Stockman is an associate in Herrick's Litigation Department where she focuses her practice on complex commercial litigation, employment litigation and counseling, restructuring and bankruptcy, as well as other litigation matters.

Prior to joining Herrick, Silvia was an associate at Wollmuth Maher & Deutsch LLP.

Services

- Litigation
- Restructuring & Finance Litigation
- Employment
- Employment Counseling & Risk Management
- Employment Litigation
- Workplace Anti-Harassment and Anti-Discrimination Training & Internal Investigations
- Sports
- Distressed Real Estate
- Insurance & Reinsurance

Education

- Boston University School of Law (J.D., 2016)
- Malcolm Baldrige School of Business (M.B.A, 2014)
- University of Connecticut (B.A., *cum laude*, 2010)

Recognitions and Accolades

- *Thomson Reuters New York Metro Super Lawyers Rising Star (2023 & 2024)* [Award Methodology](#)

Publications

December 31, 2024

What's on the Horizon for New York Employers in 2025

November 21, 2024

Crypto Cos. Add New Play In Their Offense Against SEC
Law360 Expert Analysis

August 21, 2024

Federal Judge Sets Aside FTC Non-Compete Ban on a Nationwide Basis

July 8, 2024

Federal Judge Issues Limited Preliminary Injunction Against FTC Non-Compete Ban

April 24, 2024

FTC Issues Long-Awaited Non-Compete Ban

March 28, 2024

Chambers and Partners - Chambers Global Practice Guides - Sports Law 2024

Chambers Global Practice Guide - Law and Practice

March 4, 2024

Recent Second Circuit Decision Highlights Risks for Companies Related to Ownership of Social Media Accounts

January 8, 2024

Proposed FLSA reform: Potential impact on employers and athletes

Sports Business Journal

December 28, 2023

New York Governor Hochul Changes Course and Vetoes Non-Compete Ban

December 6, 2023

New York Governor Hochul Signals Willingness to Sign Non-Compete Ban With Changes

October 23, 2023

New York Adds Wage Theft as a Form of Criminal Larceny

June 29, 2023

Important Legal Updates for Employers

June 2, 2023

New York's High Court Ends Marathon Television Rights Valuation Dispute

Sports Litigation Alert; Professional Sports and the Law

April 18, 2023

New York State Sexual Harassment Prevention Legal Updates

April 6, 2023

Chambers and Partners Sports Law 2023

Chambers and Partners

February 6, 2023

Third Circuit Court of Appeals Reverses Bankruptcy Court's Decision and Dismisses the Chapter 11 Case filed by J&J entity LTL

Herrick Restructuring Review

January 10, 2023

FTC Proposes Sweeping Ban on Non-Compete Agreements

December 1, 2022

The Rise of Indubitable Equivalent 'Cram-Up' Plans

Reorg

September 21, 2022

New York City Will Lift Private-Sector Workplace Vaccination Requirement as of November 1, 2022

May 13, 2022

2 Approaches To NY Choice Of Law In Employment Contracts
Law360 Expert Analysis

May 2, 2022

NYC Amends Pay Transparency Law; Now Expected To Go Into Effect November 1, 2022

April 13, 2022

NYS Electronic Monitoring and NYC Pay Transparency Laws Go Into Effect in May

March 30, 2022

Recent Second Circuit Decision Reinforces Need to Take Reasonable Measures to Protect Trade Secrets

March 21, 2022

New York Employers No Longer Required to Implement NY HERO Safety Plans

March 14, 2022

"#Me Too" Bill Banning Forced Arbitration of Sexual Harassment and Sexual Assault Claims Becomes Federal Law

March 1, 2022

Has the Workplace Returned to Pre-Pandemic? Plus, Other Important Updates for Employers.

February 11, 2022

New York State Indoor Mask Mandate Lifted and NY HERO Act Safety Plan Template Revised

February 2, 2022

Nationwide Employers Take Note: Illinois Amendments to Freedom to Work Act Take Effect, Clarifying Limits on Restrictive Covenants

January 14, 2022

Supreme Court Blocks Enforcement of OSHA "Vax Or Test" Emergency Temporary Standard

December 20, 2021

Large Employers May Now Be Subject to OSHA ETS in Addition to NYS and NYC COVID-19 Mandates

December 15, 2021

New York City Publishes Guidance on Private-Sector Workplace Vaccination Requirement Going into Effect December 27, 2021

December 13, 2021

New York Businesses Must Implement Mask Requirement or Require Proof of Vaccination

November 4, 2021

OSHA Publishes Emergency Temporary Standard on COVID-19 Vaccination and Testing

September 7, 2021

Designation of COVID-19 as Airborne Infection Disease Under NY HERO Act Requires Implementation of Employers' Exposure Prevention Plans

August 3, 2021

Escape New York: Court Dismisses NRA's Chapter 11 As Improper Tactic to Avoid New York's Non-Profit Regulatory Scheme
Law Journal Newsletters

July 20, 2021

NY HERO Act Prevention Plan Deadline is August 5th!

June 15, 2021

Most Remaining COVID-19 Restrictions Have Been Lifted, Effective Today

May 20, 2021

New York Extends Eviction Moratorium Through August 2021

May 18, 2021

New York Adopts New CDC Guidance

May 13, 2021

New York Enacts New Workplace Health and Safety Law Affecting All Employers

April 6, 2021

Chambers and Partners Sports Law 2021

Chambers and Partners

March 29, 2021

Nonconsensual Third-Party Releases Not Limited to Plans of Reorganization

Herrick Restructuring Review

March 18, 2021

Employers Take Note: Recent Changes in Law Affect Paid Vaccination Leave and COBRA Requirements

February 9, 2021

Employee Social Media Use and Disciplinary Action

December 17, 2020

New EEOC Guidance on COVID-19 Vaccinations

November 18, 2020

Herrick's Restructuring & Finance Litigation: 2019-2020 In Review

October 9, 2020

New Sick Leave Laws Come with New Employer Responsibilities

September 4, 2020

Hedge Fund Founder Faces Criminal and SEC Charges Based on Alleged Misconduct in

Neiman Marcus Bankruptcy

Herrick Restructuring Review

September 1, 2020

S.D.N.Y. Bankruptcy Court Pivots from Enron; Holds "Disallowance Taint" Transfers With Purchased Claim in Firestar Diamond Case

Herrick Restructuring Review

March 29, 2020

U.S. Department of Labor Issues Further Guidance on the Families First Coronavirus Response Act

March 25, 2020

U.S. Department of Labor Issues New Guidance on the Families First Coronavirus Response Act

March 25, 2020

Empire State Development Corporation Updates Guidance Regarding Definition of “Essential Businesses” Exempt From In-Person Workforce Reduction Requirements

March 20, 2020

Governor Cuomo Signs Executive Order 202.6 Requiring Employers to Reduce In-Person Workforces by 75% Due to COVID-19

March 20, 2020

Governor Cuomo Signs the “New York State on PAUSE” Executive Order, Now Requiring Non-Essential Businesses to Reduce In-Person Workforces by 100%, Effective Sunday March 22, 2020

March 19, 2020

New York Enacts Legislation to Provide Paid Sick Leave and Job Protection for Workers Quarantined Due to COVID-19

March 19, 2020

Families First Coronavirus Response Act: Guidance For Employers

Matters

In re Ample Hills (Bankr. E.D.N.Y.) – Debtor in Chapter 11

Represented debtors who operated 10 retail ice-cream stores in the New York metropolitan area. Sold stores pursuant to section 363 sale in early days of COVID crisis (*E.D.N.Y. 2020*).

Public Company - Secured Dismissal of Discrimination, Retaliation and Wrongful Termination Claims on Summary Judgment

NYS Supreme Court awarded summary judgment in favor of the employer, one of the largest independent owners, suppliers and operators of gasoline stations, finding that the former employee was not terminated because of his alleged disability or age, but rather for legitimate business reasons including egregious performance violations.

Johnson & Johnson Spin-off Bankruptcy Case: Amicus Briefs

Filed amicus briefs on behalf of a group of bankruptcy law professors concerning debtor LTL Management LLC (“LTL”), an entity created by Johnson & Johnson to hold its talc liabilities to cancer victims exposed to talc in J&J’s products. The professors filed these briefs in support of a motion to dismiss LTL’s chapter 11 case, both before the Bankruptcy Court in the District of New Jersey, and the appeal to the Third Circuit Court of Appeals. In January 2023, the Third Circuit reversed the Bankruptcy Court’s decision and dismissed the LTL Chapter 11 case. (*D.N.J. and 3rd Circuit Court of Appeals 2022-2023*).

National Cleaning Solutions Company - Trade Secret Misappropriation and Breach of Restrictive Covenant Claims

Successfully resolved a dispute on behalf of a national cleaning solutions company in connection with trade secret misappropriation and breach of restrictive covenant claims.

Represented Milwaukee Bucks Co-owner, Marc Lasry, in the Sale of Stake in the Team

Represented Milwaukee Bucks co-owner, Marc Lasry, in the sale of his 25 percent stake in the team to Cleveland Browns owners Jimmy and Dee Haslam. According to *ESPN*, the transaction struck at a \$3.5 billion valuation was the second highest valuation ever paid for an NBA team and the third highest valuation for any American professional sports team. It was a tremendously successful conclusion to Mr. Lasry’s tenure as an owner and steward of the championship Bucks.

In re Urban Commons 2 West LLC (Bankr. SDNY)

Represent BPC Lender, LLC, an affiliate of Silver Creek Development, a real estate development and investment company, in the Chapter 11 cases of real estate developer and hotelier, Urban Commons 2 West LLC and certain affiliates, which defaulted on hotel loans regarding the former Ritz-Carlton of Battery Park (now called The Wagner) in downtown Manhattan. After almost two years in Chapter 11 and 13 months of mediation, the Court issued a favorable ruling on behalf of our client. This included: (i) the approval of the debtors' sale of its hotel lease interests to our client, and (ii) confirmation of the debtors' Chapter 11 plan. In so doing, the Court (i) approved a global 9019 settlement reached between our client, the Battery Park City Authority, the Union, the Residential Board and the debtors negotiated over 13 months, and (ii) overruled the sole objection interposed by a junior, out-of-the-money mechanic's lienholder who argued that the debtors could not sell their property free and clear of its lien. This matter is ongoing.

In re Boston Generating LLC, et al. – Adversary Defendants - Appellees

Representing the largest ad hoc group of defendants-appellees in a matter that has been litigated for over a decade involving fraudulent conveyance claims arising from a \$2 billion leveraged recapitalization. The Second Circuit affirmed the dismissal of all claims *In re: Boston Generating, LLC*. In so doing, the Second Circuit ruled that the Bankruptcy Code's safe harbor provision for securities contracts payments, 11 U.S.C. § 546(e), applied to the leveraged buyout and pre-empted the plaintiff-appellant-trustee's state-law fraudulent conveyance claims, which attempted to claw back approximately \$708 million from the defendants-appellees.

In re Envision Healthcare (S.D. Texas)

Represented a group of creditors who had their existing debt subordinated to other creditors via an improper amendment to a credit agreement that occurred to facilitate an "uptier" transaction. We represented this client group in both the bankruptcy and a related adversary proceeding that we commenced. A plan of reorganization was approved by the bankruptcy court with terms favorable to our clients. This matter is particularly notable because it involves novel legal issues associated with the timely and growing trend of creditors challenging "uptier" transactions more broadly.