

Andrea Cunha

Partner

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Miami

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Andrea Cunha has a broad array of experience guiding high-growth companies from early stage to exit. She provides strategic counsel on critical issues such as corporate structure, governance, capital raising, mergers and acquisitions, and various commercial matters.

Andrea's practice includes advising on health care transactions and regulatory compliance for a diverse client base, including health care technology companies, medical device manufacturers, durable medical equipment providers, physician and dental practices, hospitals, home health and hospice agencies, laboratories, telemedicine providers, skilled nursing and long-term care facilities, and other ancillary health care providers. As a seasoned restructuring lawyer, Andrea assists clients in purchasing or selling distressed assets through out-of-court workouts and formal bankruptcy proceedings.

Andrea also acts as outside general counsel to clients and collaborates with legal teams across different practice areas, both domestically and internationally. Her unique blend of experience in corporate restructuring, commercial litigation, and in-house counsel roles for a regional health care system and a technology startup equips her to address the multifaceted challenges that high-growth companies encounter daily and develop innovative solutions.

Representative Experience

- Represented VOIP startup in formation, founder equity issuances, convertible note, and bridge financing, and in all investor relations.*
- Represented a female-founded wearable company in amending KISS Investment Agreements with key investors, negotiating advisor agreements, and issuance of equity incentives to key advisors.*
- Represented female-founded CPG company in negotiating SAFE agreements with investors.*
- Advised Shields Health Solutions LLC in connection with the US\$1.37B acquisition by Walgreens Boots Alliance (NASDAQ: WBA) of the remaining 30% interest in Shields not previously held by it.

Shields elevates access, outcomes, and growth within specialty pharmacies. Walgreens Boots Alliance owns the retail pharmacy chains Walgreens and Boots and several pharmaceutical manufacturing and distribution companies.*

- Represented React Health Holdings, LLC, a holding company whose subsidiaries manufacture and distribute sleep therapy, respiratory therapy, and disinfection products in North America in the following:
 - Acquisition of Medi-Lynx Cardiac Monitoring, LLC, a Texas-based remote cardiac monitoring service provider and Medicare-enrolled independent diagnostic testing facility.*
 - Merger with Washington-headquartered Ventec Life Systems, Inc., a ventilator manufacturer.*
 - Negotiated terms and closed an investment by Palm Beach Capital.
 - Acquisition of Watermark Medical, Inc., a Medicare-enrolled independent diagnostic testing facility.*
 - Negotiated terms and closed an investment by One Equity Partners.*
- Represented Florida-based 3B Medical, a respiratory equipment manufacturer, in acquiring medical device manufacturer Drive DeVilbiss' sleep division assets.*
- Oversaw legal operations for a health care system operating five rural hospitals, over 40 physician practices, two ambulatory surgery centers, two clinical laboratories, and three diagnostic imaging centers. Advised the company on all employment, contractual, regulatory, and compliance matters. Negotiated and structured acquisitions of three additional hospitals, over 20 physician practices, two joint ventures, and two clinical laboratories.*
- Represented a debtor in the Chapter 11 sale of nine health care facilities.

**Matters handled prior to joining Foley.*

Accolades and Recognition

- Recognized, *Chambers USA*, Healthcare in Texas (2024)
- Recognized, *The Best Lawyers in America*, Health Care Law in Texas (2021-2024)
- Recognized, *M&A Advisor Awards*, Health Care & Life Sciences Deal of the Year (Between US\$10M-\$100M) (2021)
- Recognized, *Super Lawyers*, Florida Rising Stars (2011-2014)
- Recognized, *Daily Business Review*, Most Effective Lawyers Finalist (2013)

Presentations and Publications

- Speaker, "D&O Fiduciary Duties in the Zone of Insolvency: Impact of Purdue, Avoiding Claims, Maximizing Insurance in Bankruptcy," Stafford Webinar (October 2024)
- Panelist, "[Navigating D&O Fiduciary Duties in the Zone of Insolvency](#)," Strafford CLE Webinar (September 2022)
- Author, "Planning Cash Flow in Health Care Bankruptcies," *American Bankruptcy Institute*

Sectors



FOLEY & LARDNER LLP

- [Health Care & Life Sciences](#)

Practice Areas

- [Bankruptcy & Business Reorganizations](#)
- [Corporate](#)
- [Health Care](#)

Education

- Stetson University College of Law (J.D., 2007; MBA, 2007)
- University of Florida, 2004 (B.A., summa cum laude, 2004)

Admissions

- Florida
- Tennessee
- Texas
- S. Court of Appeals for the Eleventh Circuit
- S. District Court for the Southern District of Florida
- S. District Court for the Southern District of Texas