



AMERICAN
BANKRUPTCY
INSTITUTE

2022 Delaware Views from the Bench

Ask the Judges

Hon. Kevin J. Carey (ret.), Moderator

Hogan Lovells US LLP | Philadelphia

Hon. John T. Dorsey

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Craig T. Goldblatt

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Karen B. Owens

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Brendan L. Shannon

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Laurie Selber Silverstein

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. J. Kate Stickles

U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Mary F. Walrath

U.S. Bankruptcy Court (D. Del.) | Wilmington

Jaclyn C. Marasco, Facilitator

Faegre Drinker Biddle & Reath LLP | Wilmington

DELAWARE VIEWS FROM THE BENCH

Ask the Judges

NOVEMBER 17, 2022

Hon. Kevin J. Carey (ret.), Moderator
Hogan Lovells US LLP | Philadelphia

Hon. John T. Dorsey
U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Craig T. Goldblatt
U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Karen B. Owens
U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Brendan L. Shannon
U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. Laurie S. Silverstein
U.S. Bankruptcy Court (D. Del.) | Wilmington

Hon. J. Kate Stickles
U.S. Bankruptcy Court (D. Del.) | Wilmington

Jaclyn C. Marasco, Facilitator
Faegre Drinker Biddle & Reath LLP | Wilmington

PROGRAM OUTLINE

Know Your Judges

Name that Judge!

“Big Book Of Grievances”

1. How to manage late-filed replies
2. Page limitations in briefs
3. Other issues to be addressed or messages to be sent?

Open Q&A from the audience/from Judge Carey?

Bankruptcy Lessons from Mass Tort Bankruptcy Cases

Are mass tort cases forcing judges to “make policy” when Congress fails to act?

Prevalence of Mediation – a product of mass tort cases or just a development in practice for complicated cases?

- *Mallinckrodt, BSA vs. Zohar, Quiksilver, SaladWorks*

Case Speed – does number and variety of constituents mandate a slower case track?

Committees

- New cast of characters or more of the same?
- Committee composition (*Cyprus Mines*)

Financing – are there any financing challenges unique to mass tort cases?

- “Uptier” transactions (*TPC*)

Discovery

- Work product protection and waiver (*Imerys*)

Plan Solicitation and voting (*Imerys*)

Confirmation

- The state of third-party releases (*BSA* and *Mallinckrodt*)
- Exculpation (*Mallinckrodt*)

Case Reopening Process

BIOS

Hon. Kevin J. Carey (ret.) previously served as U.S. Bankruptcy Judge for the Eastern District of Pennsylvania from 2001 to 2005, when he was appointed to the U.S. Bankruptcy Court, District of Delaware. During that time he authored more than 200 reported decisions, issued important rulings on key issues such as valuation, fiduciary duties, and other complex Chapter 11 confirmation issues, and presided over high-profile cases including Exide Technologies, Tribune Co., and New Century Financial. Judge Carey is a fellow of the American College of Bankruptcy, sits on the Executive Committee of the Board of Directors of the American Bankruptcy Institute, and serves as Vice President of Membership. He is a member of the International Insolvency Institute, and was the first judge to serve as global chair of the Turnaround Management Association. He lectures worldwide on bankruptcy issues. Judge Carey is also a contributing author to Collier on Bankruptcy, the leading treatise on U.S. bankruptcy law.

Hon. John T. Dorsey is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, sworn in on June 11, 2019. Previously, he practiced complex commercial litigation in Wilmington for 28 years. For 16 of those years, Judge Dorsey was a partner at Young Conaway Stargatt & Taylor, LLC, where he represented debtors and creditors in chapter 11 litigation matters. He also served as general counsel to Young Conaway for five years. Prior to joining Young Conaway, Judge Dorsey practiced with Richards Layton & Finger, PC, and served as the state director for then-U.S. Senator Joseph R. Biden, Jr. Prior to practicing law, he served in both the U.S. Army as a Military Police Investigator and the U.S. Air Force as an ICBM launch officer. Judge Dorsey was a board member of Delaware Volunteer Legal Services for 25 years and was active as a volunteer for the Delaware Office of Child Advocate representing children in foster care. He received his B.A. from the University of New York at Binghamton and his J.D. *magna cum laude* from Wake Forest University School of Law.

Hon. Craig T. Goldblatt is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, where he has served since his appointment in April 2021. Prior to his appointment, he was a bankruptcy litigator in the Washington, D.C. office of WilmerHale, where his practice primarily involved the representation of financial institutions and other commercial creditors in complex bankruptcy litigation and appeals. Earlier in his career, Judge Goldblatt clerked for Hon. Richard D. Cudahy of the U.S. Court of Appeals for the Seventh Circuit and Hon. David H. Souter of the U.S. Supreme Court. He is a Conferee in the National Bankruptcy Conference (for which he serves as Secretary) and is a vice president of the American College of Bankruptcy. He also has been active on the Business Bankruptcy Committee of the American Bar Association's Business Law Section. Judge Goldblatt has served on the Education Committee of the National Conference of Bankruptcy Judges and as an adjunct professor at Georgetown University Law Center and George Washington University Law School, where he teaches classes focused on bankruptcy law.

Hon. Karen B. Owens is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington. Prior to her appointment, she was a director in the Bankruptcy and Insolvency group of Ashby & Geddes, P.A., where she maintained a diverse practice, representing corporate debtors, estate professionals, various secured and unsecured creditor constituencies, and other interested parties in reorganization and liquidation proceedings and bankruptcy-related litigation. Prior to

joining Ashby & Geddes, Judge Owens started her career at Skadden, Arps, Slate, Meagher & Flom as a corporate restructuring associate, and later went on to clerk for Hon. Brendan Linehan Shannon of the U.S. Bankruptcy Court for the District of Delaware. She is an adjunct professor in the Bankruptcy L.L.M. Program at St. John's University School of Law in New York, co-president of the Delaware Bankruptcy American Inn of Court, a member of the board of directors of the Philadelphia/Wilmington Chapter of the Turnaround Management Association, and a member of the International Women's Insolvency & Restructuring Confederation.

Hon. Brendan L. Shannon is a U.S. Bankruptcy Judge for the District of Delaware. Judge Shannon received his undergraduate degree from Princeton University, and his law degree from the Marshall-Wythe School of Law at the College of William and Mary in Williamsburg, Virginia. Prior to his appointment to the bench, Judge Shannon was a partner with Young Conaway Stargatt & Taylor, LLP in Wilmington, Delaware. At Young Conaway, Judge Shannon primarily represented corporate debtors and official committees in Chapter 11 cases. Since his appointment in 2006, Judge Shannon has managed a full Chapter 11 docket, and also handles all Chapter 13 consumer bankruptcy cases filed in the State of Delaware. He served as Chief Judge of the Bankruptcy Court from 2014 through 2018. Judge Shannon is an adjunct professor in the Bankruptcy L.L.M. Program at St. John's University School of Law in New York, and at Widener School of Law in Delaware. He serves on the Board of Editors of Collier on Bankruptcy (16th ed.) and is a contributing author for Collier Forms and for several chapters covering the Federal Rules of Bankruptcy Procedure. Judge Shannon also serves on the Advisory Board for the American Bankruptcy Institute Law Review. In 2011, Judge Shannon was appointed to serve as a member of the National Bankruptcy Conference. The Conference was created in the 1930's at the request of Congress and serves as a resource to Congress on bankruptcy legislation. In 2020, Judge Shannon was inducted as a member of the American College of Bankruptcy. Judge Shannon is a member of the Delaware State Bar Association, the American Bar Association, the American Bankruptcy Institute and the Rodney Inns of Court in Wilmington, Delaware. He is also a member of the Board of Directors of the Delaware Council on Economic Education.

Hon. Laurie S. Silverstein is Chief U.S. Bankruptcy Judge for the District of Delaware in Wilmington, initially sworn in on Jan. 7, 2015. She is a member of the Committee on the Budget of the Judicial Conference of the United States and a Fellow of the American College of Bankruptcy and the American Bar Foundation. Judge Silverstein serves on the board of directors of the Delaware Bar Foundation and the executive committee of The Delaware Bankruptcy American Inn of Court. She also is a member of the Legislative Committee of the National Conference of Bankruptcy Judges. Prior to joining the bench, Judge Silverstein was a partner at Potter Anderson & Corroon LLP in Wilmington, Del., where she led the firm's bankruptcy and corporate restructuring practice group. She received her B.S. cum laude in economics in 1982 from the University of Delaware and her J.D. with honors from George Washington University's National Law Center in 1985.

Hon. J. Kate Stickles is a U.S. Bankruptcy Judge for the District of Delaware, sworn in on April 6, 2021. Prior to her appointment, she practiced in Wilmington, Delaware for 30 years. From 2008 to her appointment, Judge Stickles was a member of the Bankruptcy and Corporate Restructuring Department at Cole Schotz P.C., where she represented corporate debtors, official

AMERICAN BANKRUPTCY INSTITUTE

committees, examiners and post-confirmation trustees in chapter 11 cases. Before joining Cole Schotz, she was a partner in the Bankruptcy and Restructuring Practice at Saul Ewing LLP and a director at Prickett, Jones, Elliott, Kristol & Schnee, P.A. Judge Stickles is a fellow in the American College of Bankruptcy, a member of the American Bankruptcy Institute, the International Women's Insolvency & Restructuring Confederation, and the Delaware Bankruptcy American Inn of Court. She received her undergraduate degree from Western Maryland College and her law degree from Temple University School of Law.

DELAWARE MASS TORT BANKRUPTCY CASES

TPC Group Inc.

Case No: 22-10493 (CTG) (Bankr. D. Del).

Petition Date: June 1, 2022

Tort Claims: Property damage, business interruption, and personal injury claims arising from a chemical explosion at the Debtors' former chemical processing facility.

Overview: The Debtors are the largest crude C4 processor by installed capacity in North America. They own and operate a petrochemical processing facility located in Houston; nine active pipelines spanning 113 miles along the Gulf Coast of Texas and Louisiana; and shipping and maritime logistics assets in Houston and Port Neches, Texas and Lake Charles, Louisiana, all of which facilitate the petrochemical processing operations. The company also owns and formerly operated a chemical processing facility in Port Neches, Texas (PNO Facility) until the PNO Facility was shut down following an explosion on November 27, 2019. The PNO Facility now functions as a storage and shipping terminal. The explosion damaged homes and businesses.

Scope of Prepetition Litigation: At least 7,800 property damage, business interruption, and personal injury claims were asserted against the Debtors in multi-district litigation, and 500 civil actions related to the PNO Incident were pending in Texas state court.

Decisional Issues:

- "Uptier" transactions – *see* Memorandum Opinion dated July 6, 2022
- Stay pending appeal of declaratory judgment – *see* Memorandum Opinion dated July 11, 2022

Cyprus Mines Corporation

Case No. 21-10398 (LSS) (Bankr. D. Del.)

Petition Date: February 11, 2021

Tort Claims: Personal injury claims related to asbestos and other contaminants in talc products.

Overview: The Debtor received through a 1979 merger all rights to certain historical insurance policies, which policies continued to provide coverage for, and related to, various current and former businesses of the Debtor and its affiliates, including, but not limited to, the talc operations of the Debtor and certain of its former subsidiaries. When Imerys Talc America, Inc. filed its chapter 11 cases in February 2019, it disputed the Debtor's claim and asserted its own competing claim to the coverage rights under these historical insurance policies.

Scope of Prepetition Litigation: The Debtor was a defendant in approximately 427 talc lawsuits, the vast majority of which were pending in state courts, instituted by plaintiffs asserting alleged

liabilities relating to the Debtor or its former subsidiaries that were transferred to Imerys Talc America, Inc. in 1992, for which the Debtor claimed Imerys Talc America, Inc. was liable due to its express assumption of such liabilities.

Decisional Issues:

- Modification of official tort claimants' committee/appointment of separate tort claimants' conflict committee – *see* Bench Ruling dated May 18, 2021
-

Mallinckrodt plc

Case No. 20-12522 (JTD) (Bankr. D. Del.)

Petition Date: October 12, 2020

Tort Claims: Opioid personal injury and marketing claims and asbestos claims.

Overview: Mallinckrodt is a global specialty pharmaceutical company that produces, markets and sells generic and branded medical and pharmaceutical products for patient care, including rare disease treatments, immunotherapy products, acute care products, opioid and non-opioid pain treatment products like acetaminophen, and addiction treatment medications.

Scope of Prepetition Litigation: The Debtors were parties to over 3,000 lawsuits pending in state and federal courts across the United States, stemming from their production and sale of opioid medications. In February 2020, the company announced the principal terms of a comprehensive opioid settlement supported by more than forty Attorneys General representing states, Washington D.C., and three U.S. territories, and the court-appointed Plaintiffs' Executive Committee in the national opioid multi-district litigation. The Debtors were also parties to more than 11,700 asbestos-related lawsuits, primarily relating to legacy operations of predecessor companies. In addition, the Debtors were involved in litigation stemming from a rebate pricing dispute with the Centers for Medicare and Medicaid Services and the United States Department of Justice.

Decisional Issues:

- Confirmation – *See* Memorandum Opinion dated February 8, 2022 (as revised)
 - Administrative expense claims – *see* Memorandum Opinions dated December 21, 2021, and October 19, 2021
 - Pleading and summary judgment standards – *see* Memorandum Opinions dated June 23, 2021, and June 16, 2021
 - Preliminary injunctions – *see* oral ruling dated November 23, 2020, order dated December 4, 2020, and Memorandum Opinion dated January 27, 2021
-

Boy Scouts of America

Case No.: 20-10343 (LSS) (Bankr. D. Del.)

Petition Date: February 18, 2020

Tort Claims: Personal injury claims related to child sexual abuse.

Overview: The BSA was chartered by Congress in 1916 as a non-profit corporation under Title 36 of the United States Code. The BSA supports and supervises scouting in the United States, including through its local partners that implement the BSA's scouting programs. A core function of the BSA is to grant charters to local organizations that deliver the scouting programs to the youth of America. The BSA's scouting programs include Cub Scouts for children in kindergarten through fifth grade, Scouts BSA for youth ages 11 to 17, Venturing and Sea Scouts for young men and women ages 14 to 20, and STEM Scouts for children and young adults in elementary school through high school.

Scope of Prepetition Litigation: The chapter 11 cases were precipitated by approximately 275 lawsuits pending in state and federal courts across the United States, asserting sexual abuse-related claims against the BSA. In addition, prior to the petition date, attorneys for abuse victim provided information asserting approximately 1,400 additional claims that had not yet been filed, for a total of approximately 1,700 known asserted abuse claims. Approximately 90% of the pending and asserted claims related to abuse that occurred over thirty years ago. The BSA spent more than \$150 million on settlements and legal and related professional costs from 2017 through 2019 alone.

Decisional Issues:

- Confirmation and third-party releases – *see* Memorandum Opinion dated July 29, 2022
- Attorney retention – *see* Bench Ruling dated June 2, 2020

Imerys Talc America, Inc.

Case No.: 19-10289 (LSS) (Bankr. D. Del.)

Petition Date: February 13, 2019

Tort claims: Personal injury claims related to asbestos and other contaminants in talc products.

Overview: The Debtors' operations are exclusively focused on the mining, processing, and/or distribution of talc. They supply talc to third-party manufacturers for use in such parties' products, but they do not manufacture the final products or sell such products directly to consumers.

Scope of Prepetition Litigation: The Debtors filed the chapter 11 cases to resolve nearly 15,000 lawsuits alleging that their talc products caused diseases including ovarian cancer and asbestos-related mesothelioma.

Decisional Issues:

- Plan solicitation and voting – *see* Memorandum Opinion dated October 13, 2021

- Intervention and preliminary injunctions – *see* Bench Ruling dated August 27, 2021
 - Attorney work product protection and waiver – *see* Letter Opinions dated July 23, 2021 and August 10, 2021
 - Discovery disputes – *see* Letter Opinion dated February 4, 2021, and Memorandum Opinion dated December 16, 2019
 - Fee applications – *see* Memorandum Opinion dated November 20, 2020
 - Future Claimants’ Representative appointment – *see* Letter Rulings dated May 31, 2019, and May 8, 2019
-

Insys Therapeutics, Inc.

Case No. 19-11292 (KG)/(JTD) (Bankr. D. Del.)

Petition Date: June 10, 2019

Tort Claims: Opioid personal injury and marketing claims

Overview: The Debtors are a specialty pharmaceutical company that develops and commercializes certain drugs and drug delivery systems for targeted therapies, with two marketed products: Subsys® and Syndros®. Subsys® is an FDA-approved pain medication for cancer patients offered as a sublingual spray that delivers fentanyl. Syndros® is a prescription medicine used to treat loss of appetite and anorexia associated with weight loss in people with AIDS, and nausea and vomiting caused by anti-cancer medicine (chemotherapy).

Scope of Prepetition Litigation: The Debtors were subject to investigative inquiries and approximately 1,000 litigation claims by both the government and private parties in connection with the marketing of Subsy®

Decisional Issues:

- Venue of an adversary proceeding – *see* Memorandum Opinion dated June 17, 2021
 - Pleading standards – *see* Memorandum Opinions dated October 28, 2021, and July 21, 2021
-

Maremont Corp.

Case No.: 19-10118 (KJC)/(LSS) (Bankr. D. Del.)

Petition Date: January 22, 2019

Confirmation Date: May 17, 2019

Case Closed: September 27, 2019

Tort claims: Product liability claims related to asbestos in automotive parts.

Overview: Until 1978, Debtors manufactured automotive products containing asbestos. The Debtors divested their businesses over time and by 2013, they had stopped all operations.

Scope of Prepetition Litigation: The Debtors were defendants in thousands of personal injury and environmental remediation lawsuits. They filed for chapter 11 protection to resolve their current and future asbestos-related liabilities.

Faculty

Hon. Kevin J. Carey is a partner in Hogan Lovells US LLP's Business Restructuring and Insolvency practice in Philadelphia and is a retired bankruptcy judge. He also is ABI's President and represents both companies and creditors in domestic and cross-border bankruptcy proceedings. Judge Carey was first appointed to the U.S. Bankruptcy Court for the Eastern District of Pennsylvania in 2001, then in 2005 began service on the U.S. Bankruptcy Court for the District of Delaware (serving as chief judge from 2008-11). During that time, he authored more than 200 reported decisions, issued important rulings on key issues such as valuation, fiduciary duties and other complex chapter 11 and confirmation issues, and presided over such high-profile cases as Exide Technologies, Tribune Co. and New Century Financial. Judge Carey was the first judge to serve as global chair of the Turnaround Management Association and is an honorary member of the Turnaround, Restructuring and Distressed Investing Hall of Fame, as well as a Distinguished Fellow of the Association of Insolvency & Restructuring Advisors. In addition, he is a Fellow of the American College of Bankruptcy and a member of the International Insolvency Institute, as well as a contributing author to *Collier on Bankruptcy* and a member of the National Conference of Bankruptcy Judges. He also is a part-time adjunct professor in the LL.M. in Bankruptcy program at St. John's University School of Law in New York City. Judge Carey began his legal career in 1979 clerking for Bankruptcy Judge Thomas M. Twardowski, then served as clerk of court of the U.S. Bankruptcy Court for the Eastern District of Pennsylvania. He received his B.A. in 1976 from Pennsylvania State University and his J.D. in 1979 from Villanova University School of Law.

Hon. John T. Dorsey is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, sworn in on June 11, 2019. Previously, he practiced complex commercial litigation in Wilmington for 28 years. For 16 of those years, Judge Dorsey was a partner at Young Conaway Stargatt & Taylor, LLC, where he represented debtors and creditors in chapter 11 litigation matters. He also served as general counsel to Young Conaway for five years. Prior to joining Young Conaway, Judge Dorsey practiced with Richards Layton & Finger, PC, and served as the state director for then-U.S. Senator Joseph R. Biden, Jr. Prior to practicing law, he served in both the U.S. Army as a Military Police Investigator and the U.S. Air Force as an ICBM launch officer. Judge Dorsey was a board member of Delaware Volunteer Legal Services for 25 years and was active as a volunteer for the Delaware Office of Child Advocate representing children in foster care. He received his B.A. from the University of New York at Binghamton and his J.D. *magna cum laude* from Wake Forest University School of Law.

Hon. Craig T. Goldblatt is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, where he has served since his appointment in April 2021. Prior to his appointment, he was a bankruptcy litigator in the Washington, D.C. office of WilmerHale, where his practice primarily involved the representation of financial institutions and other commercial creditors in complex bankruptcy litigation and appeals. Earlier in his career, Judge Goldblatt clerked for Hon. Richard D. Cudahy of the U.S. Court of Appeals for the Seventh Circuit and Hon. David H. Souter of the U.S. Supreme Court. He is a Conferee in the National Bankruptcy Conference (for which he serves as Secretary) and is a vice president of the American College of Bankruptcy. He also has been active on the Business Bankruptcy Committee of the American Bar Association's Business Law Section. Judge Goldblatt has served on the Education Committee of the National Conference of Bankruptcy Judges and

as an adjunct professor at Georgetown University Law Center and George Washington University Law School, where he teaches classes focused on bankruptcy law. He received his Bachelor's degree *magna cum laude* from Georgetown University in 1990 and his J.D. with honors from the University of Chicago Law School in 1993, where he served as comment editor of the *University of Chicago Law Review*.

Jaclyn C. Marasco is an associate with Faegre Drinker Biddle & Reath LLP in Wilmington, Del., and is a corporate restructuring attorney experienced with high-profile bankruptcy cases and complex commercial litigation with a nexus to the state of Delaware. She previously served as an associate at another *Chambers*-ranked Wilmington law firm, a trial attorney for the Office of the U.S. Trustee in Delaware and a law clerk to two bankruptcy judges in New York and Delaware. Ms. Marasco has represented debtors, creditors, court-appointed fiduciaries and other parties in chapter 11 and other high-stakes commercial disputes, both in and out of the courtroom. She is a member of ABI and the Federal Bar Association, the International Women's Insolvency & Restructuring Confederation's Delaware Chapter, the Delaware Bankruptcy American Inn of Court and the Delaware State Bar Association. In addition, she participated in the National Conference of Bankruptcy Judges' 2022 Next Generation Program (NextGen) and made the firm's *Pro Bono* Honor Roll in 2021. Ms. Marasco received her B.S. *cum laude* in business administration in 2011 from the State University of New York at Geneseo and her J.D. *cum laude* from Pace University School of Law in 2014, where she served as executive articles editor of the *Pace Law Review*.

Hon. Karen B. Owens is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington. Prior to her appointment, she was a director in the Bankruptcy and Insolvency group of Ashby & Geddes, P.A., where she maintained a diverse practice, representing corporate debtors, estate professionals, various secured and unsecured creditor constituencies, and other interested parties in reorganization and liquidation proceedings and bankruptcy-related litigation. Prior to joining Ashby & Geddes, Judge Owens started her career at Skadden, Arps, Slate, Meagher & Flom as a corporate restructuring associate, and later went on to clerk for Hon. Brendan Linehan Shannon of the U.S. Bankruptcy Court for the District of Delaware. She is an adjunct professor in the Bankruptcy L.L.M. Program at St. John's University School of Law in New York, co-president of the Delaware Bankruptcy American Inn of Court, a member of the board of directors of the Philadelphia/Wilmington Chapter of the Turnaround Management Association, and a member of the International Women's Insolvency & Restructuring Confederation. Judge Owens received her Bachelor's degree from Pennsylvania State University, where she was Phi Beta Kappa, and her J.D. *summa cum laude* from American University's Washington College of Law, where she served as an associate managing editor for the *American University Law Review* and as legal intern to Hon. Stephen S. Mitchell of the U.S. Bankruptcy Court for the Eastern District of Virginia.

Hon. Brendan L. Shannon is a U.S. Bankruptcy Judge for the U.S. Bankruptcy Court for the District of Delaware in Wilmington, appointed in 2006. He manages a full chapter 11 docket and also handles all chapter 13 consumer bankruptcy cases filed in Delaware. He served as Chief Judge from 2014-18. Prior to his appointment to the bench, Judge Shannon was a partner with Young Conaway Stargatt & Taylor, LLP in Wilmington, Del., where he primarily represented corporate debtors and official committees in chapter 11 cases. He is an adjunct professor in the Bankruptcy LL.M. Program at St. John's University School of Law in New York, and at Widener School of Law in Delaware. He

also serves on the board of editors of *Collier on Bankruptcy* (16th ed.) and is a contributing author for *Collier Forms* and for several chapters covering the Federal Rules of Bankruptcy Procedure. In addition, he serves on the editorial board of the *American Bankruptcy Institute Law Review*. In 2011, Judge Shannon was appointed to serve as a member of the National Bankruptcy Conference. In 2020, he was inducted as a member of the American College of Bankruptcy. Judge Shannon is a member of the Delaware State Bar Association, the American Bar Association, ABI and the Rodney Inns of Court in Wilmington, Del. He is also a member of the board of directors of the Delaware Council on Economic Education. Judge Shannon received his undergraduate degree from Princeton University and his J.D. from the Marshall-Wythe School of Law at the College of William and Mary.

Hon. Laurie Selber Silverstein is Chief U.S. Bankruptcy Judge for the District of Delaware in Wilmington, initially sworn in on Jan. 7, 2015. She is a member of the Committee on the Budget of the Judicial Conference of the United States and a Fellow of the American College of Bankruptcy and the American Bar Foundation. Judge Silverstein serves on the board of directors of the Delaware Bar Foundation and the executive committee of The Delaware Bankruptcy American Inn of Court. She also is a member of the Legislative Committee of the National Conference of Bankruptcy Judges. Prior to joining the bench, Judge Silverstein was a partner at Potter Anderson & Corroon LLP in Wilmington, Del., where she led the firm's bankruptcy and corporate restructuring practice group. She received her B.S. *cum laude* in economics in 1982 from the University of Delaware and her J.D. with honors from George Washington University's National Law Center in 1985.

Hon. J. Kate Stickles is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, appointed on April 6, 2021. Previously, she was member of Cole Schotz P.C.'s Bankruptcy and Corporate Restructuring Department in its Wilmington, Del., office and practiced in the areas of corporate bankruptcy, insolvency and creditors' rights, having represented debtors, official committees, creditors, examiners and trustees in chapter 11 cases. Judge Stickles has been named in *Chambers USA: America's Leading Lawyers for Business* since 2010 and has been listed in *The Best Lawyers in America* and in *Delaware Super Lawyers* in the area of Bankruptcy and Creditor-Debtor Rights Law. She served as counsel to chapter 11 debtors in a variety of industries, including manufacturing and distribution, telecommunications, health care and media, in some of Delaware's most significant bankruptcy cases. Judge Stickles has published in, and served as a contributing editor for, the *ABI Journal* and has also published in *The Americas Restructuring and Insolvency Guide*, the ABI Bankruptcy Litigation Committee eNewsletter and the ABI Commercial Fraud Committee eNewsletter. Judge Stickles is active in the Bankruptcy Section of the Delaware State Bar Association, having served as the Section's chair (2010-11), vice chair Commercial Bankruptcy (2009-10) and secretary (2008-09). She is also a member of the Delaware Views from the Bench Advisory Board and the International Women's Insolvency & Restructuring Confederation (IWIRC), for which she served as director-at-large from 2010-11. Judge Stickles received her B.A. in political science and communications from Western Maryland College and her J.D. from Temple University School of Law.

Hon. Mary F. Walrath is a U.S. Bankruptcy Judge for the District of Delaware in Wilmington, appointed in 1998. She served as Chief Bankruptcy Judge from 2003-08. Judge Walrath previously clerked for Hon. Emil F. Goldhaber, Chief Bankruptcy Judge for the Eastern District of Pennsylvania, and was an attorney at Clark Ladner Fortenbaugh & Young in Philadelphia, concentrating in the areas of debtor/creditor rights and commercial litigation. In addition to speaking at numerous

bankruptcy educational programs and panels throughout the country, Judge Walrath is a founding member and co-president of the Delaware Bankruptcy American Inn of Court, a member of the Delaware Chapter of the International Women's Insolvency & Restructuring Confederation (IWIRC), a member of ABI and a Fellow in the American College of Bankruptcy. She is also an editor of the *Rutter Group Bankruptcy Practice Guide*. Judge Walrath is active in the National Conference of Bankruptcy Judges (NCBJ), having served on its Board of Governors from 2007-12, as secretary from 2013-14, as chair of its Education Committee from 2014-15 and as president from 2016-17. Judge Walrath served as an associate editor and then business manager of the *American Bankruptcy Law Journal* from 2009-15. She also testified before the House Judiciary Committee on H.R. 1667, the Financial Institution Bankruptcy Act of 2017. Judge Walrath received her A.B. in history from Princeton University and earned her J.D. *cum laude* from Villanova University, where she was a member of the *Villanova Law Review* and was awarded the Order of the Coif.