



DELAWARE V. TEXAS

39th Annual Westbrook Bankruptcy Conference 2020

Chief Judge Christopher S. Sontchi, *U.S. Bankruptcy Court for the District of Delaware*

Judge Marvin Isgur, *U.S. Bankruptcy Court for the Southern District of Texas*

Moderator: Judge H. Christopher Mott, *U.S. Bankruptcy Court for Western District of Texas*

1

At first-day hearing on **critical vendor** motion, Chapter 11 debtor does not disclose each vendor to be paid or provide evidence of how each vendor is essential to reorganization.

WHAT DO YOU DO?

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2

Debtor files Chapter 11 plan that proposes a **third-party release and exculpation of professionals**. Plan and ballots **DO NOT** provide opt-out for creditors.

WHAT DO YOU DO?

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3

Through pleadings and hearings, you become aware of **unprofessional or unethical conduct** by an attorney.

WHAT DO YOU DO?

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Request is made to form **Official Equity Committee**, when equity appears to clearly be out of the money.

WHAT DO YOU DO?

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Fee applications filed by **Official Creditors Committee** counsel and advisors far exceeds recovery to unsecured creditors.

WHAT DO YOU DO?

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