



# ***DELAWARE V. TEXAS***

39<sup>th</sup> 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*

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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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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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