



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*

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?

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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