

OUR PEOPLE

Stephen E. Jenkins

T: (302) 654-1888 ext 215 F: (302) 654-2067

As a member of the firm's Corporate Litigation and Counseling group, Steve's practice is primarily centered in the Court of Chancery where he has been rated as one of the leading lawyers by *Chambers USA: America's Leading Lawyers for Business (2006)*. While Steve's Chancery practice covers the full range of corporate litigation in that court, he has developed particular expertise successfully litigating in proxy contests and other takeover battles as well as in appraisal proceedings. In particular, Steve has represented a number of institutional stockholders in significant proxy fights and appraisal actions in recent years. Steve is well versed in both the law and the details of financial analysis and business valuation that is necessary to the successful prosecution or defense of much merger-related litigation. In recognition of Steve's abilities in these areas, the Court of Chancery has appointed Steve as a liquidating trustee for a Delaware partnership, a receiver for a Delaware corporation, and a special master in a dispute over attorneys fees in a statutory advancement action. *Chambers USA: America's Leading Lawyers for Business (2005)* reported that Steve has "developed a reputation as one of the state's leading institutional stockholder attorneys."

Steve also lends his litigation skills to the Commercial Litigation and Counseling practice from time to time, particularly where his financial expertise might be helpful in the more complex business litigation that often arises in the context of adversary proceedings in Chapter 11 business reorganization cases.

REPRESENTATIVE MATTERS

Steve has served as lead or Delaware counsel in a variety of business-related litigation in both the Court of Chancery and the United States Bankruptcy Court, including the *Coleman* appraisal action for the Prescott Group Funds (in which the Court awarded our clients well over five times the amount suggested as fair by the respondent); represented Liberation Investments and Harbinger Capital Partners in successful proxy fights for Bally Entertainment and Northwestern Corp. and successfully represented former corporate CEO Robert Meyerson in an action seeking over \$100 million from Mr. Meyerson brought by a successor corporation. Steve is currently working on the valuation aspects of several actions in the natural-resources area. In recent years, Steve has been counsel to a number of special committees of boards of directors, and provides counsel to institutional stockholders and hedge funds about complex matters of Delaware law.

In *pro bono* representations, Steve has concentrated on first amendment matters including the free speech rights of professors and the free exercise rights of religious organizations. The latter representations have led to Steve providing *pro*

PRACTICE AREAS

- Commercial Litigation and Counseling
- Corporate Litigation and Counseling

EDUCATION

- Georgetown University School of Law, J.D., magna cum laude, 1982 (Georgetown Law Journal)
- United States Army, 1976-79, U.S. Army Reserve, 1979-1983
- Georgetown University, A.B., 1976

BAR & COURT ADMISSIONS

- Delaware State Courts
- United States Court for the District Court of Delaware
- United States Courts of Appeals for the Third Circuit and the D.C. Circuit

Stephen E. Jenkins (continued)

bono legal representation on various bio-ethics issues.

NEWS & PUBLICATIONS

- Ashby & Geddes Successfully Defends Corporate Client Against Improper Books & Records Demand by a Director
- Ashby & Geddes Successfully Defends Directors and Stockholders Against Suit Alleging Breach of Fiduciary Duty
- Ashby & Geddes Aids Client in Defeating an Insurgent Consent Solicitation
- Ashby & Geddes Obtains Reversal in the Third Circuit of \$11 Million Judgment
- Ashby & Geddes Obtains Injunction in Favor of Hedge Funds
- Ashby & Geddes Aids Clients in Proxy Battle by Gaining Access to Biogen Idec's Books and Records
- Ashby & Geddes Obtains Key Ruling On Shareholder Standing To Challenge Stock Options
- Ashby & Geddes Directors Repeat as Super Lawyers
- Ashby & Geddes Names New President.

PROFESSIONAL AFFILIATIONS

- Delaware State Bar Association
- Articles Editor, Delaware Law Review
- Member, Delaware Court of Chancery Rules Advisory Committee
- Former member, Nominating Committee, Delaware State Bar Association
- Former member, Ad Hoc Committee Examining Unauthorized Practice, Delaware State Bar Association
- Former editor, In Re (magazine of the Delaware State Bar Association)