

OUR PRACTICE

Commercial Litigation and Counseling

The firm's litigation practice includes a wide variety of matters on behalf of corporate, bank, and insurance clients in all of Delaware's state courts, the United States District Court for the District of Delaware, and the Bankruptcy Court for the District of Delaware. The commercial litigation practice includes insurance coverage cases, contract disputes, secured transactions, product liability claims, environmental matters, and business torts.

In addition to litigation, the firm regularly advises clients with regard to commercial transactions, assists in negotiating such transactions, and has the experience necessary to draft the appropriate documentation for the purchase, sale, or merger of businesses, the formation of Delaware business entities, and other related matters. In connection with such matters, the firm also renders formal legal opinions with respect to the Delaware law aspects of a commercial transaction.

REPRESENTATIVE MATTERS

A few examples of recent commercial actions in which the firm has been involved include the representation of a U.S. insurer in the spin-off from its U.K. parent in proceedings before the Delaware Insurance Commissioner, the Chancery and Superior Courts and the Supreme Court of Delaware (*In the Matter of the Proposed Acquisition of Royal Indemnity Company*); prosecution of an action on behalf of the largest consumer of electricity in Wyoming against the utility for repeated power interruptions (*OCI Wyoming, L.P. v. PacifiCorp*); the reclamation of a shipment of Brazilian iron from a purchaser who filed for bankruptcy while the product was in transit (*Cargill Inc. v. Trico Steel Co.*); and the defense of a major insurer in an action to compel coverage of damages resulting from unauthorized stock trades (*Prudential Equity Group, LLC v. Chubb Custom Insurance Co.*). As these examples indicate, the firm's commercial practice is diverse — ranging from mounting a Commerce Clause challenge to municipal waste “flow control” regulations (*Harvey & Harvey, Inc. v. County of Chester*), defending one of the few “lender liability” cases brought in Delaware (*First Federal Savings Bank v. CPM Energy Systems Corp.*) to preserving licensing rights to adult stem cell technology (*In re Morphogen Pharmaceuticals, Inc.*).

MEMBERS

- Andrew D. Cordo
- James McC. Geddes
- Carolyn S. Hake
- Richard D. Heins
- Stephen E. Jenkins
- Richard I.G. Jones, Jr.
- Benjamin Wilson Keenan
- Brooke Leach
- Tiffany Geyer Lydon
- Lauren E. Maguire
- Steven T. Margolin
- Toni-Ann Platia
- Philip Trainer, Jr.