

abiLIVE Faculty: The Role of Customers in Chapter 11 Bankruptcy Proceedings

Hon. Kevin J. Carey is a partner in Hogan Lovells US LLP's Business Restructuring and Insolvency practice in Philadelphia and is a retired bankruptcy judge. He also is ABI's Immediate Past President and represents both companies and creditors in domestic and cross-border bankruptcy proceedings. Judge Carey was first appointed to the U.S. Bankruptcy Court for the Eastern District of Pennsylvania in 2001, then in 2005 began service on the U.S. Bankruptcy Court for the District of Delaware (serving as chief judge from 2008-11). During that time, he authored more than 200 reported decisions, issued important rulings on key issues such as valuation, fiduciary duties and other complex chapter 11 and confirmation issues, and presided over such high-profile cases as Exide Technologies, Tribune Co. and New Century Financial. Judge Carey was the first judge to serve as global chair of the Turnaround Management Association and is an honorary member of the Turnaround, Restructuring and Distressed Investing Hall of Fame, as well as a Distinguished Fellow of the Association of Insolvency & Restructuring Advisors. In addition, he is a Fellow of the American College of Bankruptcy and a member of the International Insolvency Institute, as well as a contributing author to *Collier on Bankruptcy*. He also is a part-time adjunct professor in the LL.M. in Bankruptcy program at St. John's University School of Law in New York City. Judge Carey began his legal career in 1979 clerking for Bankruptcy Judge Thomas M. Twardowski, then served as clerk of court of the U.S. Bankruptcy Court for the Eastern District of Pennsylvania. He received his B.A. in 1976 from Pennsylvania State University and his J.D. in 1979 from Villanova University School of Law.

William J. Rochelle, III is ABI's editor-at-large, based in New York. He joined ABI in 2015 and writes every day on developments in consumer and reorganization law. For the prior nine years, Mr. Rochelle was the bankruptcy columnist for Bloomberg News. Before turning to journalism, he practiced bankruptcy law for 35 years, including 17 years as a partner in the New York office of Fulbright & Jaworski LLP. In addition to writing, Mr. Rochelle travels the country for ABI, speaking to bar groups and professional organizations on hot topics in the turnaround community and trends in consumer bankruptcies. He earned his

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Sheryl L. Toby is a member of Dykema Gossett PLLC in Bloomfield Hills, Mich. In both traditional and advanced technology manufacturing, she works closely with purchasing groups and in-house legal, finance and other business teams to develop effective strategies that address the full spectrum of the supply chain challenges they face daily. As a bankruptcy and restructuring attorney, Ms. Toby has decades of experience as lead counsel in numerous significant bankruptcy cases throughout the country, and is a frequent speaker and media consultant in her fields. She has received multiple awards and was named as one of 38 women in the U.S. to Euromoney's "Women in Business Law Expert Guide 2022" for Restructuring and Insolvency, named to Lawdragon 500's Leading U.S. Bankruptcy & Restructuring Lawyers for 2020, 2022 and 2023, and recognized in The Best Lawyers in America. Rated AV-Preeminent by Martindale-Hubbell, Ms. Toby has chaired multiple industry organizations and is currently co-chair of the Business Transactions Subcommittee of the ABA Business Bankruptcy Section. She received her B.A. from Michigan State University and her J.D. cum laude from Wayne State University, where she was a member of the Order of the Coif and worked on its law review.

Matthew E. Wilkins is a co-founder of Brooks Wilkins Sharkey & Turco PLLC in Birmingham, Mich., where he advises customers and suppliers, primarily in the automotive industry, on a wide variety of contract issues and disputes. He has special expertise in the negotiation and documentation of complex supply-chain agreements and asset sales, where either the customer or supplier is financially distressed. Mr. Wilkins has a deep background in bankruptcy and creditors' rights and commercial and business litigation, and specializes in high-stakes litigation, supply-chain counseling and advising clients in financially distress situations. Prior to co-founding Brooks Wilkins Sharkey & Turco in 2009, he was a shareholder at Butzel Long in Detroit and a partner in the Chicago firm of Coffield, Ungaretti & Harris. He is licensed to practice in Michigan, Illinois and Indiana. Mr. Wilkins has been recognized as a Michigan Super Lawyer for more than 10 years, AV-rated by Martindale-Hubbell, and has been recognized as a Detroit "Top Lawyer" by Hour Detroit magazine and as a Michigan "Best Lawyer." He is a member of ABI and the American, Michigan and Chicago Bar Associations. He is a past-member of the

ABA Young Lawyer's Divisions' national Executive Council, past-chair of the Bankruptcy and Professionalism Committees of the Division, and past-chair of the Indianapolis Bar Association Young Lawyer's Committee. Mr. Wilkins received his B.A. in 1980 from Vanderbilt University and his J.D. in 1983 from Indiana University School of Law.