

Speech

Munsch Hardt Attorney Phil C. Appenzeller, Jr. Speaks at Webinar on In Pari Delicto Doctrine

11.02.10

Munsch Hardt attorney Phil C. Appenzeller, Jr. will speak at a live web seminar entitled "In Pari Delicto Doctrine in Bankruptcy Litigation: Anticipating or Raising the Defense" on Thursday, November 4th, from 1:00-2:30 pm EST. Phil's discussion will focus on how in today's bankruptcy climate, trustees and creditors' committees aggressively pursue claims against third parties, such as accountants, auditors, attorneys, lenders and advisors, for their role in the debtor's insolvency on theories including fraud, aiding and abetting and malpractice. The in pari delicto defense prevents the trustee, who stands in the shoes of the debtor, from pursuing damages resulting from actions by the debtor's officers and directors. Many circuits strictly apply the defense to protect third party defendants; others are less likely to allow it to be asserted as a shield in trustee litigation.

Primary Contacts



Phil Appenzeller

Dallas
214.855.7542
pappenzeller@munsch.com

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