



**David Powlen is a retired of counsel whose practice was primarily based in the firm's Delaware office. His practice ranged from negotiating and documenting transactions to addressing actual or potential litigation. David was devoted to serving as a trusted adviser in all client assignments.**

Experienced in business bankruptcy, insolvency and special situations, David was involved in Chapter 11 cases before the U.S. Bankruptcy Courts throughout the country. He represented a variety of creditors; investors; purchasers of assets; parties to leases, licenses and other agreements; defendants in actions to recover alleged preferences or other transfers; and a variety of other clients. Also, he was engaged in merger, acquisition, financing and restructuring transactions, documenting commercial loans and rendering opinions on enforceability, special purpose entities, substantive non-consolidation, true sale and other creditors' rights matters.

David served multiple terms as chair of the firm's Finance, Insolvency and Restructuring Department, and at various times was a member of the Management Committee, the Non-Legal Affiliates Committee and the Legal Personnel Committee. He opened the firm's Delaware office in 2009 and was its managing partner until 2019 when family circumstances moved him to Houston, Texas. Reflecting the scope of his practice, he was also a member of the Corporate Department, the Litigation Department and several practice groups, and appeared in cases before the U.S. District Court for the District of Delaware, the Delaware Court of Chancery and the Delaware Superior Court.

While residing in Indianapolis earlier in his career with the firm, David was the first attorney there to develop a practice in creditors' rights and bankruptcy law. Also, for eight years he worked full-time as a senior investment banker and financial advisor on merger and acquisition, recapitalization, reorganization, valuation and other assignments.

David has been a speaker at programs for and author in publications by the American Bar Association, American Bankers Association, American Bankruptcy Institute, Association of Insolvency & Restructuring Advisors,

## David M. Powlen

### Of Counsel (Retired)

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### EDUCATION

Harvard College, (A.B.)

Harvard Law School, (J.D.)

### BAR ADMISSIONS

Delaware

Indiana

New York

Pennsylvania

Texas

### LANGUAGES

English

Commercial Law League, National Business Institute, National Association of Credit Managers, Turnaround Management Association, and other professional and industry associations.

## **Court Admissions**

U.S. Bankruptcy Courts and U.S. District Courts:

- D. Delaware
- S.D. New York
- E.D. Pennsylvania
- N.D. Texas
- S.D. Texas
- W.D. Texas
- S.D. Indiana

U.S. Court of Appeals:

- Third Circuit
- Seventh Circuit

## **Professional and Community Involvement**

Former Board of Advisors, Mid-Atlantic States Conference of the American Bankruptcy Institute

Former Board of Advisors, Central States Conference of the American Bankruptcy Institute

Former Co-Chair, Financial Advisors & Investment Banking Committee of the American Bankruptcy Institute

Member, Business Bankruptcy Committee of the American Bar Association (Secured Creditors Subcommittee)

Master of the Bench, Delaware Bankruptcy Inn of Court

Former Governance Fellow, National Association of Corporate Directors

Former Board of Directors, Downtown Visions (non-profit organization focused on improving the central business district of Wilmington,

Delaware)

**Honors**

The Best Lawyers in America, 1995-2024

Delaware Super Lawyers, 2018-2021

Top Lawyers 2022, Delaware Today

Martindale-Hubbell, AV Preeminent