



GELLERT
SCALI
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♦ BROWN, LLC

MICHAEL BUSENKELL

Michael Busenkell concentrates his practice in the areas of chapter 11 business reorganizations, workouts and out-of-court restructurings, creditors' rights, and receiverships. A board certified business bankruptcy attorney and certified management accountant, Mike focuses his practice on representing and advising debtors, creditors, secured lenders, purchasers, landlords, trustees and receivers in insolvency proceedings and business litigation matters.

Mike also represents parties in corporate law and governance litigation including breach of fiduciary duty claims, corporate control issues, mergers and acquisitions litigation, actions involving the interpretation of charter provisions and bylaws, stockholder appraisal actions, actions involving directors' and officers' requests for advancement and/or indemnification, demands for inspection of corporate books and records, and demands to compel meetings of stockholders and other actions regarding stockholder voting rights. Prior to private practice, Mike was an Assistant State Attorney in Miami, Florida, where he served as a criminal prosecutor.

Prior to forming Gellert Scali Busenkell & Brown, Mike was a partner at Womble Carlyle Sandridge & Rice LLC, in the firm's Delaware office.

Education

J.D., cum laude, Temple University Beasley School of Law (1995)
B.S., Villanova University (1990)

Bar Admissions

Delaware, Florida, Pennsylvania
United States District Court for the District of Delaware
United States District Court for the Eastern District of Pennsylvania
United States District Court for the Southern District of Florida

Professional Affiliations

Delaware Bankruptcy Inns of Court
American Bankruptcy Institute
Turnaround Management Association

Publications

Does 502(b)(6) cap Repair and Maintenance Damages?
American Bankruptcy Journal, November 2007

Gone Fishing: The Fundamentals of Rule 2004
American Bankruptcy Journal, February 2010

Third Circuit Sets a High Bar for "Faltering Company" Exception Under WARN Act
American Bankruptcy Journal, November 2008

At the Intersection of Successor Liability and the Bankruptcy Code
American Bankruptcy Journal, March 2012



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Presentations

Bankruptcy Litigation Advocacy Program, Delaware Chapter of the Federal Bar Association, March 2011

The Forgotten Faces: Employment Issues in Bankruptcy, ABI's 5th Annual Mid-Atlantic Bankruptcy Workshop, August 2009

The Nuts and Bolts of Chapter 11, Institute of Management Accountants Delaware Chapter, May 2009

Customer/Vendor Bankruptcies, Institutes of Management Accountants Delaware Chapter, March 2009

Doing Business with Financially Troubled Companies, Florida Bar Annual Conference, June 2008

Buying Assets in Chapter 11, Mid-Atlantic Council of the Institute of Management Accountants Spring Conference, April 2008

Directors and Officers Liability Insurance Issues in Bankruptcy - Florida Bar Annual Conference, June 2007

The Fundamentals of Bankruptcy in Delaware: How to Give Clients the Debt Relief They Need, National Business Institute, October 2005

Bankruptcy Law and Procedures from Start to Finish, National Business Institute, July 2007