

Gregory W. Werkheiser

Of Counsel

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Delaware – 302.425.7165

New York



A dedicated and solutions-oriented attorney, Greg represents distressed businesses, lenders, trade creditors, investors, boards, and other stakeholders in complex restructuring, bankruptcy, and commercial litigation matters across the country.

In practice for more than thirty years, Greg Werkheiser has accumulated a breadth and depth of legal experience that uniquely qualifies him to assist clients with their most challenging and complex bankruptcy and restructuring matters. Greg's extensive experience in both private practice and as a Trial Attorney with the U.S. Department of Justice's Civil Division equips him to offer valuable perspective and insights to decisions faced by C-Suite executives, boards, business owners, and other decision-makers. Additionally, Greg's restructuring work spans a wide range of industries, including healthcare, energy exploration and production, pharmaceuticals, online and traditional retail, agribusiness, heavy manufacturing, franchising, restaurants, commercial real estate, regulated cannabis and hemp, insurance, shipping, civil construction, broadcast media, and performance rights management.

Although Greg's deepest experience is in representing distressed businesses in out of course restructurings and chapter 11 proceedings, Greg regularly advises and represents clients in distressed M&A transactions, DIP financings, intellectual property preservation, fraudulent transfer, preference, and other bankruptcy-related litigation, state and federal receivership proceedings, assignments for the benefit of creditors, mass tort bankruptcies, and other bankruptcy and insolvency proceedings.

Over his career, Greg has published and lectured prolifically on a wide variety of bankruptcy and restructuring topics. Greg also has contributed extensively in the areas of bankruptcy policy, rulemaking, and legislation.

Select Experience

Education

- Widener University
Delaware Law School
(J.D., 1996)
 - *magna cum laude*
 - Articles Editor,
*Delaware Journal of
Corporate Law*
- Pennsylvania State
University (B.S.,
Finance, 1992)

Bar Admissions

- Delaware
- New York

Chapter 11 Debtors

- GenCanna Global: Lead counsel for a leading producer of industrial hemp and CBD products in chapter 11 bankruptcy proceedings.*
- Black News Channel: Lead counsel for a leading pay television news channel serving the African American community in successful bankruptcy sale of its business and assets.*
- Oklahoma ProCure: Lead counsel for proton cancer treatment center in engagement concluding with successful going concern bankruptcy sale and liquidating plan.*
- KaloBios International: Lead counsel for a development stage biopharma company in its successful chapter 11 reorganization.*

*Select representations occurred prior to joining Dorsey

Professional Affiliations

- Member, Judicial Merit Selection Committee, Bankr. D. Del., 2018 & 2020
- Member, Local Bankruptcy Rules Advisory Committee, Bankr. D. Del., 2011 – 2023
- Member, Joint Working Group of Delaware Bankruptcy Bar, Chapter 7 Trustee Panel and Office of the U.S. Trustee Concerning Administration of Large and Converted Cases, 2013 – 2014
- Member, American Bankruptcy Institute
- Member, *Delaware Lawyer* Board of Editors, Delaware Bar Foundation, 2009 – 2023

Court Admissions

- U.S. Court of Appeals for the Third Circuit
- U.S. District Court for the District of Delaware
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

Clerkships

- U.S. Court of Appeals for the Third Circuit, Honorable Jane R. Roth, 1996–1997
- Delaware Supreme Court, Wolcott Fellowship for Hon. Randy J. Holland, 1995–1996

Accolades

- Ranked Bankruptcy/Restructuring Practitioner by Chambers USA Guide, 2014 – 2023
- Listed in Best Lawyers in America, 2017 – 2026
- Listed in IFLR1000, 2019 – 2022
- Listed in Who's Who Legal, 2019 – 2020
- Member of restructuring team that earned 2021 "Transaction of the Year" award from the Turnaround Management Ass'n (Chi./MW Ch.), in recognition of successful going concern ch. 11 bankruptcy asset sale for GenCanna Global USA, Inc.
- Member of restructuring team that earned 2017 M&A Advisor's Turnaround Award in category of "Chapter 11 Reorganization of the Year (\$10MM to \$25MM)" for successful reorganization of KaloBios Pharmaceuticals, Inc.

Legal Writings

- Delaware Revamps Tools Available to Restructure or Wind Up Distressed

Businesses with Passage of Delaware's Version of Uniform Assignment for the Benefit of Creditors Act (June 16, 2026)

- Author/Moderator, *Business Bankruptcy Legal Update*, American Bankruptcy Institute Annual Spring Meeting (April 2019)
- Author, *Of Spoiled Milk—Warnings That Should and Should Not Have Been Issued: Another Take on the Potential for Management and Controlling Shareholder Liability Related to an Insolvent Company's WARN Act Violations*, *Business Law Today* (Aug. 2017)
- Co-author, *Business Bankruptcy Legal Update: Recent Case Law Addressing Bankruptcy Remote Structures*, American Bankruptcy Institute Annual Spring Meeting (March 2017)
- Author, *Parsing the Overhaul of the Bankruptcy Appeals Rules*, *Bankruptcy Litigation*, Vol. 20, No. 2 (Winter 2015)
- Co-author, *CASE STUDY: In re Houston Regional Sports Network and Fiduciary Duty Disclaimers in Alternative Entity Bankruptcies*, Delaware Fiduciary Litigation Meets Distress and Bankruptcy, American Bankruptcy Institute: Delaware Views from the Bench (Nov. 2015)
- Co-editor with Gregory A. Inskip, *Drugs: Crime, Addiction, Rehabilitation, Research*, *Delaware Lawyer*, Vol., 33, No. 1 (Spring 2015)
- Author, *ASARCO and the High Cost of Getting Paid in the Fifth Circuit (and Maybe Everywhere)*, XXXIV ABI Journal 1, 12-13, 65-67 (Jan. 2015)
- Author, *Applying the Doctrine of Exclusive Appellate Jurisdiction to Bankruptcy Appeals*, *Bankruptcy Litigation*, Vol. 19, No. 2 (Winter 2014)
- Author, *When Do Court Orders Become Improper Advisory Opinions?*, XXXIII ABI Journal 4, 36-37, 97-98 (April 2014)
- Co-author, *Case Study: Sunbeam v. Chicago American Manufacturing*, Law360.com, (July 23, 2012)
- Author, *Some Local Flavor on the Role of Local Counsel in Large Bankruptcy Cases, The Outer Limits of Zealous Advocacy and Civility in the Practice*, American Bankruptcy Institute Winter Leadership Conference (Nov. 2011)
- Author, *Seventh Circuit Recognizes Nonassignability of Trademark Licenses in Bankruptcy—With a Caveat*, Tech. & Intellectual Property Comm. Newsletter, American Bankruptcy Institute, Vol. 8, No. 2 (Sept. 2011)
- Author, *Retention and Compensation Issues for Financial Advisors and Investment Bankers in Bankruptcy Proceedings*, American Bankruptcy Institute Southwest Bankruptcy Conference (Sept. 2011)
- Author, *Teligent Allows Law Firm Defendant in Malpractice Action to Challenge Validity of Proceeds Assignment Contained in Settlement Previously Approved by Bankruptcy Court*, Ethics & Prof. Comp. Comm. ABI Committee News, Vol. 8, No. 4 (Aug. 2011)
- Author, *A Tale of Three Conflicts: Three Delaware Decisions Applying Rule 1.9(a)*, XXX ABI Journal 4, 16, 74-75 (May 2011)
- Author, *A Bankruptcy Lawyer's Take on Bankruptcy Appeals*, Am. Bar Assoc. App. Pract. J., Vol. 30, No. 3 (Spring 2011)
- Co-editor with Edward C. Micheletti, *At the Crossroads: Conflict and Concord Between Bankruptcy and Corporate Law*, *Delaware Lawyer*, Vol. 28, No. 3 (Fall 2010)
- Author, *Beware of the False Claims Act Claim: The Potential Case-Killer in Your Claims Register*, XXIX ABI Journal 4, 48-49, 81-83 (May 2010)
- Author, *Intellectually Bankrupt? Five Potential Pitfalls When Intellectual Property Interests Meet Bankruptcy Proceedings*, *Delaware Lawyer* 8, Winter (2008/2009)
- Author, *Defending the Corporate Bastion: Proportionality and the Treatment of*

Draconian Defenses from Unocal to Unitrin, Comment, 21 Del. J. Corp. L. 103 (1996)

- Author, *Delaware's New Mandate in Class Action Settlements: Expanding the Scope and Intensity of Settlement Review*, Comment, 20 Del. J. Corp. L. 496 (1995)
- Author, *Mendel v. Carroll: When Must a Board of Directors Dilute a Controlling Shareholder?*, Comment, 20 Del. J. Corp. L. 588 (1995)