



Partner
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Wilmington, DE

Practice Areas

Bankruptcy, Restructuring, and Insolvency
Litigation

Admitted

Delaware
Pennsylvania

Education

Temple University Beasley School of Law, JD,
cum laude, 1998
Haverford College, BA, 1994

David Carickhoff is resident in Archer’s Wilmington, Delaware Office, having practiced in Delaware for over 20 years. He focuses his practice on corporate bankruptcy and business reorganization matters. David represents, as lead and local counsel, chapter 11 debtors, creditor committees, chapter 7 trustees, secured creditors, unsecured creditors, shareholders, purchasers, investors, insurers, and many other parties in bankruptcy proceedings and out-of-court restructurings. He has diverse industry experience including chemical, energy, gaming, manufacturing, media, medical devices, mortgage, pharmaceutical, retail, technology, telecom, and video game.

David has recently represented an oil and gas exploration and development company in its chapter 11 case that provided more than a 40% return to unsecured creditors pursuant to a confirmed plan.

He is also one of a select few chapter 7 panel trustees in Delaware, appointed by the Office of the United States Trustee. He is currently the chapter 7 trustee in several business cases, including a health care company, several technology companies, a manufacturing company, a video game device company, and an oil and gas exploration and development company. He is also the distribution trustee overseeing a liquidating trust created for the benefit of creditors after the successful reorganization of a company for whom he served as a chapter 11 trustee prior to plan confirmation.

Chambers USA calls him a “very smart,” “diplomatic lawyer who has the ‘experience to provide additional firepower to the practice.’” “Sources praise him as being ‘wonderful to work with and passionate about the work.’” He is also “praised for his patient approach to clients, his understanding of the law and his ability to deliver results.” He is “recognized for his broad-ranging industry experience.”

Representative Experience

- *Wind City Penna Oil & Gas, LLC* -- counsel to oil and gas exploration and development company in its chapter 11 case.
- *Nova Biosource Fuels* -- counsel to biodiesel refining company in its chapter 11 case.
- *Midway Games* -- counsel to developer and publisher of video games in the interactive entertainment software industry in its chapter 11 case.
- *STAR Telecommunications, Inc.* -- counsel to long-distance telecommunications provider in its chapter 11 case.

- *HomeLife Corporation* -- counsel to one of the ten largest furniture retailers in the nation, with approximately 130 stores, in its chapter 11 case.
- *Wellman Dynamics Corp.* — counsel to the creditors' committee of industry-leading producer of complex precision aluminum and magnesium sand castings for the aerospace and defense industries
- *Egenix* -- counsel to the creditors' committee of a development-phase, cancer therapeutic technology company.
- *Solyndra* -- counsel to the creditors' committee of the highly publicized photovoltaic solar panel developer and manufacturer.
- *American Community Newspapers* -- counsel to the creditors' committee of owner and operator of 86 community newspapers and 14 niche publications.
- *UniMarts* -- counsel to creditors' committee of owner of over 400 branded convenience stores.
- *MediCor Ltd.* -- counsel to creditors' committee of medical device company.
- *Nobex Corporation* -- counsel to creditors' committee of development stage-biopharmaceuticals company.
- *Mortgage Lenders Network* -- counsel to creditors' committee of subprime mortgage loan originator and loan servicer.
- *Heritage Home Group* – counsel to one of the largest creditors in this furniture retailer Chapter 11 case.
- *Wireless Telecommunications* -- counsel to the former CEO and the majority shareholder of the debtor in its Chapter 11 case.
- *Emivest Aerospace Corporation* -- counsel to replacement DIP lender.

Professional and Community Involvement

- American Bankruptcy Institute
- Delaware Bar Association

Articles and Presentations

- *Commercial Bankruptcy Litigation*, 2d, 2013 ed. (Thomson Reuters Westlaw), co-author chapter “Litigation Concerning the Petition”
- Standing in Bankruptcy Cases: Has the 3rd Circuit Expanded the Doctrine?, Delaware Business Court Insider, July 20, 2011, co-author
- Panelist, A Proper Burial: Structured Dismissals and Other Case Closing Strategies, ABI Mid-Atlantic Bankruptcy Workshop 2010 [Articles]