

Press Coverage | April 22, 2022

Skilled in the Art With Scott Graham: Judge Connolly Is Taking Names on Litigation Funding

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[James H. S. Levine](#)

James Levine, a partner with Troutman Pepper, is quoted in the *Law.com* article, [“Skilled in the Art With Scott Graham: Judge Connolly Is Taking Names on Litigation Funding.”](#)

James Levine, a litigator based in Troutman Pepper Hamilton Sanders’ Wilmington office, said Connolly’s orders are the first of their kind for the district. He sees them as aimed primarily but not exclusively at patent litigation, and clearly aimed at making the litigation process more transparent. He says a big question now is whether other judges in Delaware or elsewhere adopt similar orders, or perhaps state that they will not adopt such requirements.

Levine noted that litigation funding is often closely held. “The potential for heartburn among some litigants certainly is there,” he said. He also wonders how much detail will be necessary [to] explain the “nature of the financial interest”—whether it will be enough to say that Company X has a contingency interest, whether the percentage will have to be specified, whether the existence of a fee collar will have to be disclosed, and so on.

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