

## Kenneth A. Listwak

Counsel

Wilmington

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### OVERVIEW

Ken has broad experience in bankruptcy and reorganization matters, including adversary proceedings and contested matters in complex bankruptcy cases, and advising and guiding clients through complex issues involving bankruptcy law and Delaware legal practice. He is quick to understand the business needs of his clients and is able to view his cases from both a legal and a marketplace perspective. Ken crafts compelling arguments for clients in contested matters and adversary proceedings—from prosecuting or defending avoidance action litigation to drafting Chapter 11 plan objections—and is an adept advocate for his clients when facing litigation-focused aspects of bankruptcy cases.

Ken's experience includes representing corporate debtors, creditors' committees, buyers, individual secured and unsecured creditors, and other parties in interest in complex bankruptcy proceedings and in bankruptcy-related litigation. He regularly represents clients in the U.S. Bankruptcy Court for the District of Delaware, as well as in district and bankruptcy courts nationwide.

During law school, he was on the executive board of Penn Law's mock trial program and was active in Penn Law's Legal Education Partnership, where he coached mock trial and debate team for underprivileged high schools in Philadelphia.

Before joining the firm, Ken was an associate with another prominent law firm in Delaware.

### AWARDS

- *JD Supra* Readers' Choice Awards, Bankruptcy (2026)
- *Best Lawyers in America®: Ones to Watch*: Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2025-2026), Corporate (2026)

### TOP AREAS OF FOCUS

- Bankruptcy + Restructuring
- Debtor + Committee Representations
- Finance + Banking

- Trade Creditors Representation

## ALL AREAS OF FOCUS

- Bankruptcy + Restructuring
- Debtor + Committee Representations
- Finance + Banking
- Financial Services
- Insolvency Litigation
- Litigation + Trial
- Trade Creditors Representation

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Associate Member, Delaware Bankruptcy American Inn of Court
- High School Mock Trial Coach, Boys' Latin of Philadelphia Charter High School (2013-16)

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- University of Pennsylvania Carey Law School, J.D., *magna cum laude*, 2016, associate editor, *Journal of Business Law*; Levy Scholar
- University of Pennsylvania The Wharton School, M.B.A., 2016, finance
- Villanova University, B.B.A., *summa cum laude*, 2012, finance, marketing and international business

### BAR ADMISSIONS

- Delaware

### COURT ADMISSIONS

- U.S. Court of Appeals, Third Circuit
- U.S. District Court, District of Delaware

## PUBLICATIONS

- Co-author, "Stay Violations and Sanctions Require More Than Competition," *The Legal Intelligencer*, October 27, 2022.
- Co-author, "Clarity of Intent in Stipulations Is No 'Minor' Issue," *The Legal Intelligencer*, May 5, 2022.
- Co-author, "Buyer Beware — Sixth Circuit Highlights Notice Risk in 363 Bankruptcy Sales," *The Legal Intelligencer*, July 29, 2021.
- Author, "Third Circuit Rules that Parties Cannot Contract Around the Mutuality Requirement for Setoff in Bankruptcy," *Troutman Pepper*, May 12, 2021.
- Co-author, "When Is Content of Bankruptcy Bar Date Notice Sufficient?," *The Legal Intelligencer*, May 6, 2021.