

The Most Influential Bankruptcy Judges In History

By **Matt Chiappardi**

Law360, Wilmington (July 22, 2016, 6:54 PM ET) -- From the Chandler Act in the late 1930s to the contemporary fast-paced brand of complex business restructuring, these judges left an indelible mark on the body of law and procedures that make up today's corporate bankruptcy practice. Here, Law360 spoke with restructuring attorneys and experts to get their take on some of the giants of the bankruptcy bench.

U.S. Bankruptcy Judge Tina L. Brozman Southern District of New York, 1985-2000



At age 32, Judge Brozman was the youngest judge appointed to the bankruptcy bench in the Second Circuit in 1985. Six years into her tenure, she presided over a landmark case that paved the way for how cross-border insolvencies are handled today.

The case was British media conglomerate Maxwell Communication Corp., parent of MacMillan Publishers and the New York Daily News, which filed for Chapter 11 in 1991.

With assets spread across the Atlantic, and an insolvency proceeding running simultaneously in the United Kingdom, the case presented a morass of cross-border issues that had rarely tested U.S. bankruptcy policy to such a degree before.

To deal with the then-unique issues, Judge Brozman reached out to the judge presiding in the United Kingdom, Justice Leonard Hoffmann, to create a set of protocols on how to divvy up management on each side of the pond.

"Those international protocols led to what became Chapter 15," Allan S. Brilliant, co-chair of Dechert LLP's business restructuring and reorganization practice, said.

Chief among the protocols were a division of responsibilities between the two countries' courts, and recognition of foreign representatives as debtors-in-possession of sorts in the United States, two major pillars of how Chapter 15 law now works.

"The two began to informally work together to form protocols, rather than work in a dysfunctional and

antagonistic way," said Andrew Brozman, a partner with Clifford Chance LLP who was married to Judge Brozman for nearly 25 years until her death at 54.

The protocols were eventually codified by the United Nations Commission on International Trade Law and became written into the Bankruptcy Code in 2005 as part of Chapter 15.

She returned to private practice after retiring from the bench in 2000 to become co-leader of Bingham McCutchen LLP's financial restructuring group and worked, this time as an attorney, on major cases such as Adelphia Communications and Enron.

She died of ovarian cancer in 2007, and the nonprofit Tina's Wish was set up by family friends to raise money for early and effective screening of the disease.

--Editing by Katherine Rautenberg and Emily Kokoll.

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