

# MORRIS NICHOLS ARSHT & TUNNELL



**DONNA L. CULVER**  
PARTNER

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## PRACTICE AREAS

Bankruptcy/Insolvency Litigation  
Business & Contract Litigation  
Business Reorganization &  
Restructuring  
Governmental Affairs  
Unclaimed Property

## EDUCATION

J.D., cum laude, 1991, Boston  
University School of Law  
B.A., political science and criminal  
justice, magna cum laude, 1988,  
University of Delaware

## ADMISSIONS

Delaware, 1991  
U.S. District Court for the District of  
Delaware, 1992  
U.S. Court of Appeals for the Third  
Circuit, 2001

Donna is a business reorganization and commercial litigation partner, with more than 20 years' experience in state and federal court. She represents a wide variety of corporate clients in bankruptcy and business litigation matters, and in administrative, regulatory and government proceedings, including unclaimed property (escheat) audits and voluntary disclosure agreements.

Donna's bankruptcy litigation experience includes the representation of corporate debtors, creditors and litigation trusts in a variety of commercial disputes, including preference and fraudulent transfer litigation and contested claims matters. She also has substantial experience litigating contract and fiduciary duty claims in state and federal court and is actively involved in alternative dispute resolution, representing clients in arbitration and mediation proceedings.

In addition to her litigation practice, Donna regularly represents clients in state unclaimed property audits and with voluntary efforts to comply with unclaimed property laws through voluntary disclosure agreements.

An active member of the Delaware bar, Donna serves as co-chair of the Litigation Committee of the Bankruptcy Section of the Delaware State Bar Association and was appointed by the Delaware Supreme Court to serve on the Delaware State Board of Bar Examiners. Donna also serves as a member of the Morris Nichols Executive Committee. She has been recognized by her peers for inclusion in *The Best Lawyers in America*® and *Best Lawyers Business Edition's* Women in the Law.

## Professional Activities

- American Bankruptcy Institute
- American Bar Association
- Board of Bar Examiners of the State of Delaware (Member, 2007-2013; Associate Member, 2000-2006)
- Delaware State Bar Association (Bankruptcy Section, Litigation Committee, Co-Chair)
- Unclaimed Property Professionals Organization

## Representative Matters

- Represented Littlejohn Opportunities Master Fund in contractual indemnification litigation pending in Delaware Superior Court.
- Counsel to Green Plains Renewable Energy, Inc. in defense of \$48 million dollar fraudulent transfer action.
- Represented Security National Properties Funding II, LLC in litigation with secured lenders arising in Chapter 11 bankruptcy proceeding.
- Represented Nortel Networks and affiliates in adversary proceedings related to Chapter 11 bankruptcy proceeding.

- Counsel to the Safety-Kleen Creditor Trust in more than 400 avoidance actions filed in the Delaware Bankruptcy Court.
- Counsel to various public utilities, including Comcast Communications, Public Service Electric & Gas Company and Windstream Communications in administrative and regulatory proceedings before the Delaware Public Service Commission.

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