

Bruce Grohsgal

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Helen S. Balick Professor in Business Bankruptcy Law
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Present Position

Delaware Law School, Widener University
Helen S. Balick Professor in Business Bankruptcy Law
Wilmington, DE

July 2014 – Present

Courses Taught: Bankruptcy; International Bankruptcy; Bankruptcy Workshop; Contracts I; Contracts II; Sales and Leases; Business Organizations; Advanced Concepts in U.S. & Delaware Corporate Law (Summer); Secured Transactions; Financial Regulation

Teaching Interests: Bankruptcy; International Bankruptcy; Contracts; Business Organizations and Corporate Law; Secured Transactions; Financial Regulation; Legislation and Regulation

Current and Recent Faculty Administrative and Committee Positions: University 403(b) Investment Committee (2020-present); Budget Committee (2022-present); Promotion and Tenure Evaluation Committees (2022-present); Legal Education Committee (2024-present); Honor Council Investigator (2024-present); Relocation Committee (2024-present); AALS Representative (2022-2024); Honor Council Chair (2021-2023); Site Inspection/Self-Study (Reaccreditation) Committee (2019-2022)

Pro Bono Representations: Official Committee of Medical Benefits Retirees in the Chapter 11 Bankruptcy Case of ASHINC Corporation (f/k/a Allied Systems Holding, Inc.) (Bankr. D. Del.)

Director: Delaware Institute of Corporate and Business Law

Awards: Douglas Ray Faculty Scholarship Awards 2022 and 2018;
Outstanding Faculty Award 2025 and 2017

Recent Publications

Law Review Articles:

From Referees to Robes: The Establishment of a U.S. Bankruptcy Bench and the Battle for Article III Status as Told in the Bankruptcy Oral Histories, 31 J. BANKR. L. & PRAC. (2023)

The Alteration of Ex Ante Agreements by the Bankruptcy Code, 95 AM. BANKR. L. J. 713 (2021)

The Long Strange Trip to a Certainty of Hopelessness: The Legislative and Political History of the Nondischarge of Student Loans in Bankruptcy, 95 AM. BANKR. L. J. 443 (2021)

The Argument for a Federal Rule of Decision for a Bankruptcy Court's Recharacterization of a Claim as Equity, 94 AM. BANKR. L. J. 681 (2020)

Can Student Loans be Discharged in Bankruptcy? 90 MISS. L. J. 35 (2020)

Absolute Priority Redux: Chapter 11 First Day Orders and Pre-Plan Settlements Post-Jevic, 10 WM. & MARY BUS. L. REV. 61 (2018)

How Absolute is the Absolute Priority Rule in Bankruptcy? The Case for Structured Dismissals, 8 WM. & MARY BUS. L. REV. 439 (2017)

Colder Than a Landlord's Heart? Reconciling a Debtor's Authority to Sell Property Free and Clear of a Lease Under Bankruptcy Code Section 363(f) with the Tenant's Right to Remain in Possession on a Lease Rejection under Section 365(h), 100 MARQ. L. REV. 295 (2016)

Book Chapters:

Sections 363 and 364 – Use, Sale or Lease of Property and Obtaining Credit, Norton Annual Survey of Bankruptcy Law (2024), 2024 ANN. SURV. OF BANKR. LAW 14 (and same chapter in the ANN. SURV. OF BANKR. LAW, as sole author or with co-author(s), since 2004)

Sections 542 and 543 – Turnover of Property of the Estate, Norton Annual Survey of Bankruptcy Law (2024), 2024 ANN. SURV. OF BANKR. LAW 21 (and same chapter in the ANN. SURV. OF BANKR. LAW, as sole author or with co-author(s), since 2003)

Short Articles:

Achieving Chapter 11 Bankruptcy's Purposes by Procedural Innovation: The Case of Delaware, THE JOURNAL OF THE DELAWARE STATE BAR ASSOCIATION (July/Aug. 2022) (with Hon. Kevin Gross (Ret.))

How Student Borrowers Lost the Promise of a Fresh Start, 41 AM. BANKR. INST. J. 58 (Jan. 2022)

A Bad Bargain: The Legislative and Political History of the "Undue Hardship" Requirement for the Discharge of Student Loans in Bankruptcy, 2021 8 NORTON BANKR. L. ADVISER NL 1 (2021)

Must Bankruptcy Courts Apply the Punitive Gloss of Brunner for the Discharge of a Student Loan?, American Bankruptcy Institute Journal, 39 AM. BANKR. INST. J. 14 (May 2020)

Should the Appointment of a Committee of Unsecured Creditors Be Made Optional in Chapter 11 Cases?, with Hon. Christopher S. Sontchi, 38 AM. BANKR. INST. J. 12 (Nov. 2019)

Absolute Priority Redux: Chapter 11 First Day Orders and Pre-Plan Settlements Post-Jevic, HARVARD BANKRUPTCY ROUNDTABLE (May 7, 2019), available at <https://blogs.harvard.edu/bankruptcyroundtable/?s=redux>, with a link to the WM. & MARY BUS. L. REV. 61 (2018) article listed above

Does the Financial Institution Bankruptcy Act of 2017 (FIBA) Undermine the Effective Restructuring of a Failing Financial Institution? HARVARD BANKRUPTCY ROUNDTABLE (June 13, 2017), available at <http://blogs.harvard.edu/bankruptcyroundtable/>, with a link to the March 23, 2017 House written testimony listed under “Publications and Congressional Testimony – July 1, 2014 to Present” above

How a GOP Bill Could Cause the Next Financial Crisis, POLITICO (April 26, 2017), with Simon Johnson

How Absolute is the Absolute Priority Rule in Bankruptcy? The Case for Structured Dismissals, HARVARD BANKRUPTCY ROUNDTABLE (Nov. 1, 2016), available at <http://blogs.harvard.edu/bankruptcyroundtable/2016/11/01/how-absolute-is-the-absolute-priority-rule-in-bankruptcy-the-case-for-structured-dismissals/>, with a link to the 8 WM. & MARY BUS. L. Rev. 439 (2017) article listed above

Why Recent SPOE Bills for SIFIs Fail, 33 AM. BANKR. INST. J. 10 (Dec. 2014)

Case in Brief Against “Chapter 14,” 33 AM. BANKR. INST. J. 44 (May 2014)

Editorships

Co-Editor in Chief – *Norton Annual Survey of Bankruptcy Law* (Thomson Reuters) July 2020 – Present

Oral History Interviewer

Interviewer for National Bankruptcy Archives Oral History Collection, Penn Law Biddle Law Library (Hon. Eric L. Frank; Hon. Judith H. Wizmur; and Norman L. Pernick; with several more planned) June 2025 – Present

Court Appointments

Reporter – E.D. Pa. Local Bankruptcy Rules Committee November 2024 – Present

Recent Presentations

Panel Leader, “Important Cases from 2025 and Quizzo,” Delaware Bankruptcy Inn of Court – January, 2026 (and each Dec./Jan. session since 2016) (forthcoming)

Interlocutor (with Hon. Brendan L. Shannon), “The Jurisprudence of Judge Kevin J. Carey,” American College of Bankruptcy, at Villanova Law School – November 6, 2025 (forthcoming)

Presenter, “Top Commercial and Consumer Bankruptcy Cases of 2025,” Pennsylvania Bar Institute – October 24, 2025 (forthcoming)

Sole Presenter, “Third Party Releases in Chapter 11: A Year After *Purdue Pharma*,” Education Committee of the U.S. Bankruptcy Court for the Central District of California (via Zoom to Bankruptcy Law Clerks throughout U.S.) – August 6, 2025

Moderator, “Turnaround Square: Tumultuous Times,” Turnaround Management Association – May 5, 2025 (webinar)

Faculty Moderator, Commercial Bankruptcy Sessions, Eastern District of Pennsylvania Bankruptcy Conference 31st Annual Forum – March 27-28, 2025 (and in each Annual Forum since 2015)

Presenter, “Supreme Court Roundup,” Turnaround Management Association Annual Meeting – October 17, 2024

Sole Presenter, “Can Student Loans Be Discharged In Bankruptcy?,” Howard U. School of Law – September 17, 2024 (via Zoom)

Sole Presenter, “Third Party Releases in Chapter 11,” Education Committee of the U.S. Bankruptcy Court for the Central District of California (via Zoom to Bankruptcy Law Clerks throughout U.S.) – July 23, 2024

Presenter, “Bankruptcy Nuts and Bolts: A Primer for Chapter 11 Cross-Training,” Delaware State Bar Association, Bankruptcy Section – June 12, 2024

Co-Presenter, “Arguing About *Purdue Pharma* and Third-Party Releases,” with Prof. Jonathan C. Lipson, Temple University Beasley School of Law, Delaware Bankruptcy Inn of Court – December 12, 2023

Presenter, “Third Party Releases in Chapter 11,” Education Committee of the U.S. Bankruptcy Court for the Central District of California (via Zoom to Bankruptcy Law Clerks throughout U.S.) – August 1, 2023

Panel Leader and Co-Presenter, “The Discharge of Student Loans by Individuals in Bankruptcy,” Mississippi Bankruptcy Conference (via Zoom) – August 13, 2020

Moderator, “A View from the Trenches: Practitioners Negotiating and Litigating NDAs,” at “Silence for Sale: The Uses And Abuses Of Non-Disclosure Agreements, Non-Disparagement Clauses, And Secret Settlements,” Widener Law Review, Delaware Law School – March 5, 2020

Co-Course Planner and Presenter, “Bankruptcy Nuts and Bolts: A Primer for Chapter 11 Cross-Training,” Delaware State Bar Association, Bankruptcy Section (via Zoom) – June 23, 2020

Moderator, Delaware Views from the Bench, “Ask the Judges” Plenary Session, with U.S. Bankruptcy (D. Del.) Judges Sontchi (C.J.), Walrath, Shannon, Gross, Silverstein, Dorsey and Owens, American Bankruptcy Institute and Delaware State Bar Association – October 17, 2019

Judicial Debates (v. Hon. Christopher S. Sontchi), “Should the Appointment of a Committee of Unsecured Creditors Be Made Optional in Chapter 11 Cases?,” American Bankruptcy Institute Mid-Atlantic Bankruptcy Conference – August 2019

Congressional Testimony

Statement on Hearing on “Big Bank Bankruptcy: 10 Years After Lehman Brothers,” and S. ____ the “Taxpayer Protection and Responsible Resolution Act” (November 13, 2018), invited by and submitted to the United States Senate Committee on the Judiciary

Testimony on H.R. 1667, the “Financial Institution Bankruptcy Act of 2017,” before the House Judiciary’s Subcommittee on Regulatory Reform, Commercial and Antitrust Law (March 23, 2017).

Written Responses to Questions for the Record submitted to the House Judiciary’s Subcommittee (May 17, 2017), following the March 23, 2017 hearing on H.R. 1667, the “Financial Institution Bankruptcy Act of 2017.

Prior Experience

Partner – Pachulski Stang Ziehl & Jones, LLP January 2000 – June 2014
Wilmington, DE

Chapter 11 Business Bankruptcy and Litigation

Representative Cases:

Chapter 11 Debtors: Solyndra; Trans World Airlines; Chi Chi’s;

Global Home Products (Anchor Hocking/Mirro/WearEver);

Revstone Industries

Creditors’ Committees: Jevic Transportation;

Freedom Communications (Orange County Register)

Chapter 11 Trustee: Le-Nature’s

Senior Fellow – Americans for Financial Reform October 2012 – January 2013
Washington, DC (During Law Firm Sabbatical)

Legislation and Regulation, Financial Institution Insolvencies

Partner – Wolf Block Schorr and Solis-Cohen LLP June 1983 – January 2000
Wilmington, DE and Philadelphia, PA

Chapter 11 Business Bankruptcy and Litigation;

and Commercial Transactions

*Associate - Sage Gray Todd & Sims,
New York, NY
Commercial Transactions*

August 1980 – May 1983

Bar Admissions

*Delaware, Pennsylvania and New York
United States Supreme Court
Third Circuit Court of Appeals
U.S. District Courts for Districts of Delaware, E.D. Pa.,
and W.D. Pa.*

Professional Associations

*Delaware Bankruptcy Inn of Court
American Bankruptcy Institute
Association of American Law Schools
National Association of Chapter 13 Trustees (NACTT)
Chair, Bankruptcy Section, Delaware State Bar Association, 2008-2009*

Education

*Columbia University School of Law, New York, NY
Harlan Fiske Stone Scholar 1980 and 1979*

J.D. 1980

*Brandeis University, Waltham, MA
Magna Cum Laude, High Honors History and Sociology*

B.A. 1977