



Of Counsel

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Industries

Energy
Financial Services
Manufacturing

Practices

Bankruptcy &
Insolvency
Litigation

Education

J.D., with high honors,
Rutgers School of Law -
Camden, Phi Theta
Kappa, 1981

B.S., with highest
honors, Rutgers
University, 1978

A.S., *magna cum laude*,
Pierce Junior College,
1971

Bar Admissions

New Jersey, 1981
Pennsylvania, 1981
United States District
Court Eastern District of
Pennsylvania, 1981
United States District
Court District of New
Jersey, 1981
United States Court of
Appeals Third Circuit,
1984
United States Supreme

Anne Marie P. Kelley primarily focuses her practice in the representation of trade creditors in all aspects of complex Chapter 11 bankruptcy cases on a national level and financial institutions in the negotiation and litigation of delinquent commercial loans in New Jersey state, federal, and bankruptcy courts. She frequently conducts in-house seminars for The Dow Chemical Company and various Dilworth clients that are structured to help trade creditors analyze, evaluate, and manage bankruptcy risks in their day-to-day relationships with customers.

Anne Marie has represented a host of other parties implicated by bankruptcy filings including debtors, secured and unsecured creditors, indenture trustees and utilities. She has extensive experience relating to a majority of the issues that are critical to creditors and debtors in the bankruptcy process including:

- the extent, validity, allowance/disallowance, enforcement, and subordination of secured, unsecured, and administrative claims;
- the allowance and payment of section 503(b)(9) claims;
- the scope of and relief from the automatic stay;
- the valuation of and adequate protection for the use of cash and other types of collateral;
- the section 363 sale of a debtor's assets;
- the assumption or rejection of executory contracts;
- the confirmation of a chapter 11 plan of reorganization or liquidation;
- the appointment of a trustee or examiner; and
- the defense of preferential, fraudulent transfer, and other Chapter 5 avoidance actions.

Representative Experience

Ms. Kelley heads Dilworth's representation of its trade-creditor clients in connection with all aspects of bankruptcy and other insolvency proceedings across the U.S. and Canada. She represents trade

Court, 1985
United States District
Court Eastern District of
Michigan, 2008

creditors in their dealings with financially troubled customers during the pre-bankruptcy stage to minimize their potential exposure, including drafting favorable contract terms, assisting in changing or revoking credit terms, pursuing state law rights under the Uniform Commercial Code, and analyzing the terms of letters of credit, credit default swaps, security agreements, and guarantees. She also works with them to develop a plan to maximize recovery on their unsecured claims in bankruptcy cases through the exercise of reclamation, section 503(b)(9), setoff and recoupment rights, the negotiation of critical vendor agreements, the modification and assumption of executory contracts, and active participation in the plan confirmation process to ensure that the proposed process does not adversely impair their rights. Further, Ms. Kelley proactively analyzes, addresses, and defends alleged preferential and/or fraudulent transfer avoidance actions with an eye to a prompt, cost-effective resolution.

Some of Ms. Kelley's more notable representations include the representation of The Dow Chemical Company and other Dilworth clients in the Chapter 11 cases filed, including General Motors, Chrysler, Lyondell Chemical, Foamex International, Pliant Corporation, AbitibiBowater, Chemtura, Propex, American Fiber and Yarns, Smurfit-Stone, Spansion, Meridian, Cooper-Standard, Visteon, Lear Corporation, and Collins and Aikman.

Client Successes

- The Dow Chemical Company

Professional and Community Activities

- Member, American Bankruptcy Institute
- Member, Eastern District of Pennsylvania Bankruptcy Conference
- Member, Camden County and New Jersey Bar Associations
- Member, Philadelphia and Pennsylvania Bar Associations

Professional Recognition

- Selected to appear in the 2009, 2010, 2011 and 2012 editions of *Chambers USA - America's Leading Lawyers for Business*, as a Leader in her field.

NEWS / EVENTS

Press Releases

- Chambers USA 2014 Ranks Dilworth Attorneys Among the Best in Pennsylvania and New Jersey



ANNE MARIE P. KELLEY

- Five Dilworth Attorneys Ranked In Chambers USA 2016
- Dilworth Attorneys Ranked Again In Chambers USA 2017