

Bankruptcy Issues Affecting Oil and Gas Producers



S&J Land Administration Services Webinar

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Presenters



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Office Locations & Attorney Licensure



Office Locations

- Bridgeport, WV
- Charleston, WV
- Collin County, TX
- Columbus, OH
- Dallas, TX
- Denver, CO
- Huntington, WV
- Lexington, KY
- Louisville, KY
- Martinsburg, WV
- Meadville, PA
- Morgantown, WV
- Oklahoma City, OK
- Pittsburgh, PA
- San Antonio, TX
- Southpointe, PA
- The Woodlands, TX
- Wheeling, WV

Attorney Licensure



Today's Agenda

- Purpose and Parameters:
 - Bankruptcies can directly affect oil and gas operations.
 - Practical discussion of topics you should know about.
 - A high-level overview – Not a detailed, technical discussion.
 - Examples from Ohio cases – Law differs from state to state.
 - Consult legal counsel to address specific situations.

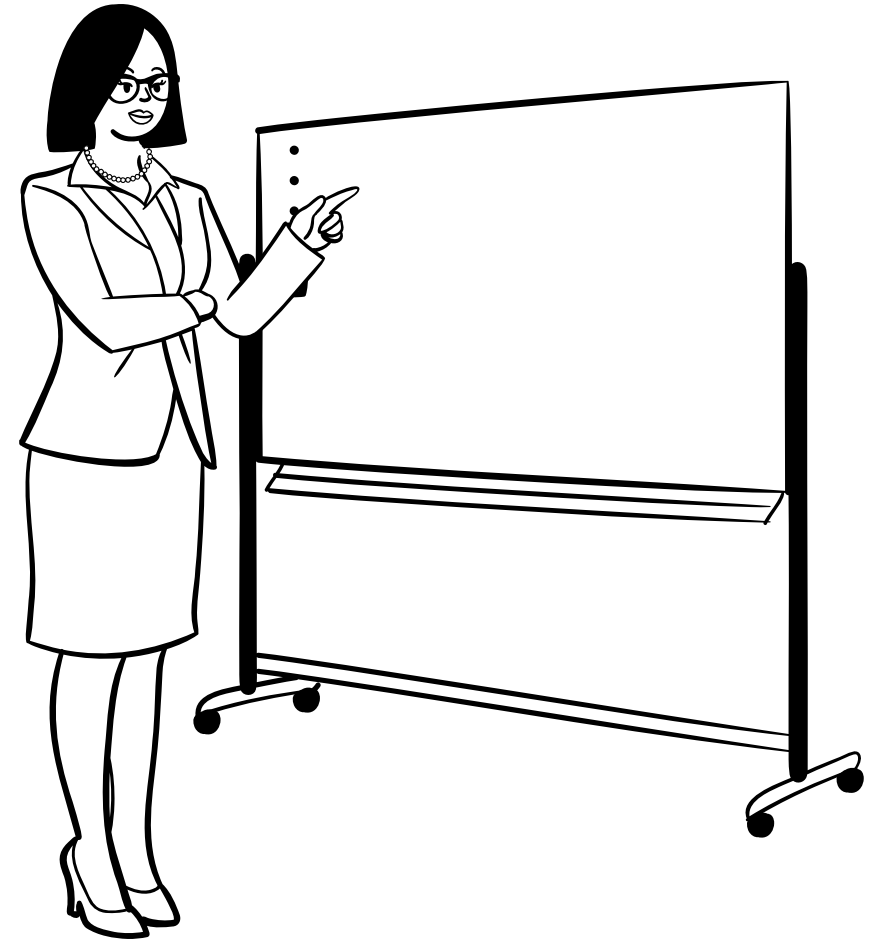


Today's Agenda

- Topics We Will Address:
 - Bankruptcy Basics – What happens in a Chapter 7, 11, or 13 case?
 - Monies Paid to Lessors – Who receives bonuses and royalties?
 - Automatic Stay – How does it affect the Debtor's assets?
 - Mineral Title – What do you look for? Where can you find it?



Part One: Bankruptcy Basics



Chapter 7

- Asset liquidation cases.
- Trustee identifies, collects, and liquidates Debtor's assets.
- Some assets are covered by statutory exemptions – Not sold to pay creditors.
- Trustee has business discretion to abandon assets.

13. Abandonment

Pursuant to L.B.R. 6007-1, the trustee may abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate. Further notice to creditors and other parties in interest is not required for the abandonment of any property unless a party in interest, before the conclusion of the § 341 meeting, files a request for further notice of abandonment.

- Trustee has the power to sell assets, including mineral rights.
 - Requires opportunity for competing bids, and court approval.

Chapter 13

- Payment plan cases.
- Typically, open for 5 years.
- Debtor files a proposed Plan.
- Trustee, creditors, and others (including oil and gas lessees) may object.

Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$78	administrative fee
	\$313	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

domestic support obligations,

most student loans,

certain taxes,

debts for fraud or theft,

debts for fraud or defalcation while acting in a fiduciary capacity,

most criminal fines and restitution obligations,

certain debts that are not listed in your bankruptcy papers,

certain debts for acts that caused death or personal injury, and

certain long-term secured debts.

Once objections are resolved, the Court confirms the Plan.

Debtor makes monthly payments to Trustee, who pays creditors.

Chapter 11

- Business reorganization cases.
- Company may remain open and continue conducting business, unless court rules otherwise (debtor in possession or DIP).

SENATE REPORT NO. 95-989

This section places a debtor in possession in the shoes of a trustee in every way. The debtor is given the rights and powers of a chapter 11 trustee. He is required to perform the functions and duties of a chapter 11 trustee (except the investigative duties). He is also subject to any limitations on a chapter 11 trustee, and to such other limitations and conditions as the court prescribes cf. *Wolf v. Weinstein*, 372 U.S. 633, 649-650 (1963).

- U.S. Trustee monitors DIP operations, submits reports, conducts creditors meetings.
- A plan of reorganization is proposed, creditors whose rights are affected may vote on the plan (or object), and the plan may be confirmed by the court.
- Confirmed plans can operate as discharge of debt and create new contractual obligations.
- Liquidating plans are permissible.

Proof of Claim

- Process for presenting and substantiating claims for monies owed.
- If there are no assets available, there is no filing deadline.

10. Proof of claim

Please do not file a proof of claim unless you receive a notice to do so.

No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.

- When assets are available to distribute, a filing deadline is established.

8. Deadlines

The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.

Deadline to file a complaint to challenge dischargeability of certain debts:

Filing deadline: 12/26/23

You must file:

- a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or
- a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).

Deadline for all creditors to file a proof of claim (except governmental units):

Filing deadline: 12/1/23

Deadline for governmental units to file a proof of claim:

Filing deadline: 3/20/24

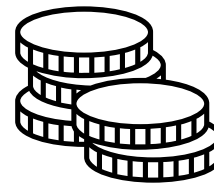
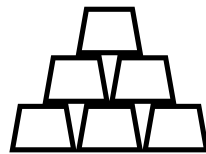
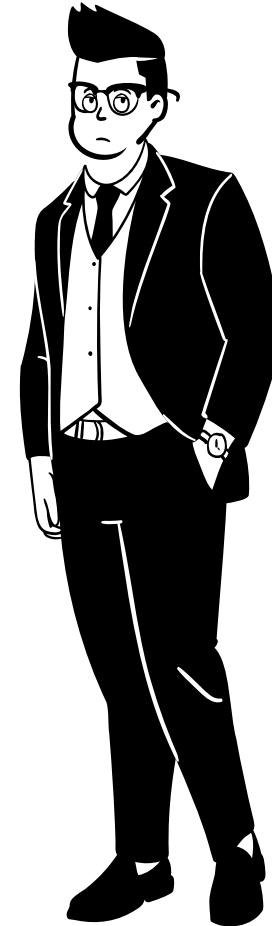
Deadline for Rule 3001(c)(1) and (d) attachments to a Rule 3002(c)(7) claim:

Filing deadline: 1/22/24

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***Part Two:
Monies Paid
to Lessors***



Types of Payments

- What types of payments are impacted by a bankruptcy?
 - Any payment a producer may make to a lessor.
 - Bonuses – Lease signing, renewal, extension.
 - Oil and gas royalties – Shut-in, production, recalculated, reimbursed, suspended.
 - Option payments.
- Why are these payments important to the producer?
 - Time-sensitive.
 - Contractual obligation to pay.
 - Failure to timely pay can affect the producer's rights (breach or forfeiture).
 - Filing of a bankruptcy does not alter or toll the producer's obligation to pay.
- Who does the producer pay when the lessor files for bankruptcy protection?

Who Receives Bonuses and Royalties?

- Monies are owed to a lessor in bankruptcy – So who do you pay?
 - Lessor-Debtor?
 - Bankruptcy Trustee (Chapter 7 or 13)?
 - United States Trustee?
 - Bankruptcy Court?
 - Creditors?
- The Debtor may want to continue receiving payments during the bankruptcy.
- Payments are **property of the bankruptcy estate**.
- The solution here is to **seek direction from the Trustee**.

Next Steps for Making Payments in Bankruptcy

- **Place monies in suspense when you first learn of the bankruptcy.**
- **Contact the Trustee and the Debtor's attorney.**
 - Identify leases, units, and royalty owners.
 - Disclose suspended monies, and frequency of payments.
 - Imminent plans to commence or disburse payments.
 - Seek direction on who to pay.
- **The Trustee and Debtor's attorney may negotiate a payment arrangement.**
 - Pay all to the estate.
 - Split payments between estate and Debtor.
 - Payments to the estate for a fixed duration, then resume paying the Debtor.

Next Steps for Payments in Bankruptcy (continued)

- **Address any special circumstances at the outset.**
 - Delayed inheritance from unsettled decedent's estate.
 - Pending litigation as to title/ownership of mineral rights
 - Underpayments or overpayments to Debtor.
 - Development and production commencing during bankruptcy.
- **Memorialize the payment arrangement in writing.**
 - Chapter 13 Plan.
 - Stipulation between Trustee, Debtor, and Lessee.
 - Court order.
 - At a minimum, written correspondence.

Next Steps for Payments in Bankruptcy (continued)

- **Monitor the bankruptcy case.**
 - Duration of a case may vary (months vs. years).
 - A case can be dismissed early.
 - All debts are paid off.
 - Debtor does not comply with obligations.
 - Chapter 7 Trustee can abandon assets if inconsequential or not beneficial.
 - A closed case may be re-opened later if Trustee discovers new assets.
- Know what is happening in the case, so you can update pay decks.

Importance of Working with the Trustee

- Trustees want oil and gas payments to benefit the estate and creditors.
- Chapter 7 Trustees locate, collect, and liquidate assets to pay creditors.
- Sometimes, oil and gas payments may be only (significant) non-exempt asset.

Sample: Chapter 7 Trustee's Interim Report of Assets

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA = § 554(a) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
1	Street OH ,	\$130,000.00	\$0.00	\$0.00	FA
2	2019 Ram 1500	\$29,788.00	\$0.00	\$0.00	FA
3	2017 Harley Davidson Street Glide	\$23,315.00	\$0.00	OA	FA
4	Household Goods and Furnishings	\$1,455.00	\$0.00	\$0.00	FA
5	Electronics	\$350.00	\$0.00	\$0.00	FA
6	Sports & Hobby Equipment	\$50.00	\$0.00	\$0.00	FA
7	Wearing Apparel	\$200.00	\$0.00	\$0.00	FA
8	Checking Bank	\$1,100.00	\$0.00	\$0.00	FA
9	Savings Bank	\$0.04	\$0.00	\$0.00	FA
10	2022 Tax Refunds Federal and State	\$7,053.00	\$2,290.04	\$0.00	FA
11	Oil and Gas proceeds (u)	\$0.00	Unknown	\$0.00	Unknown
TOTALS (Excluding unknown value)		\$193,311.04	\$2,290.04	\$0.00	Gross Value of Remaining Assets \$0.00

Importance of Working with the Trustee (continued)

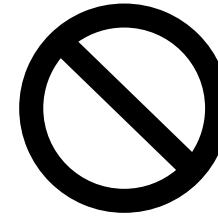
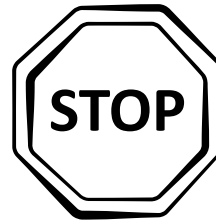
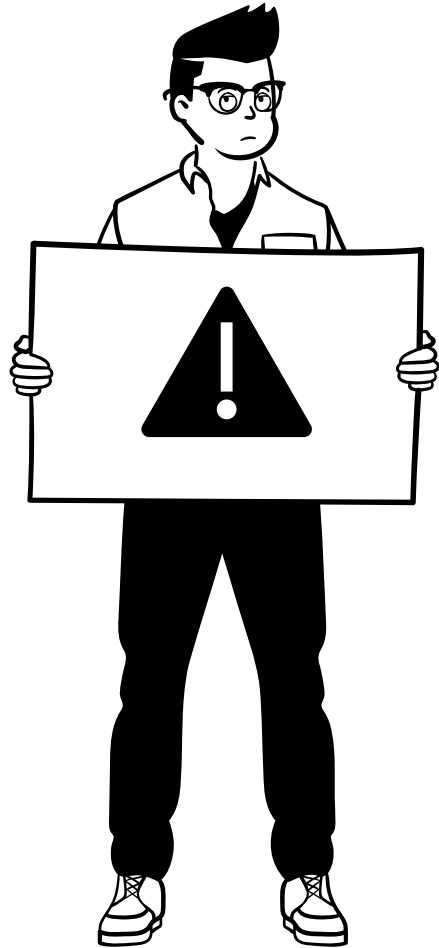
- Chapter 13 Trustees want to see Debtors contribute newfound income.
 - Increase Plan payments, which increases dividend to creditors.
- Chapter 13 Trustee can require payment language in the Plan.
 - If not included in the Plan, the Trustee may file an objection.
 - Producer's counsel can provide suggested language to fit the situation.

Sample Chapter 13 Plan Language

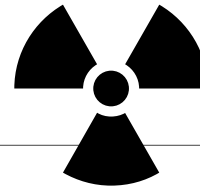
“Debtor hereby assumes the oil and gas lease with [producer], its successors and/or assigns. To the extent that typical monthly production royalties become payable to the Debtor while the bankruptcy proceedings are pending, any such monies may be released directly to the Debtor. To the extent any extraordinary payments other than monthly production royalties become payable to the Debtor while the bankruptcy proceedings are pending, any such monies will be placed in suspense pending instructions as to how they should be paid during the bankruptcy proceedings.”

“Debtors hereby assume the oil and gas lease with [producer], its successors and/or assigns. Upon confirmation and for the duration of the plan, [producer] may release any income from the sale of said oil and gas under the terms of the lease (including bonus, royalties or otherwise) to Debtor. Debtor shall notify the trustee upon receipt of any income received under the terms of the lease (including bonus, royalties or otherwise), which shall be contributed to the plan for the benefit of unsecured creditors by way of an increased unsecured dividend if a percentage plan or an increased unsecured minimum dividend if a pot plan, subject to any Motion to Retain, as may be applicable.”

- Chapter 13 Plan language.
 - Pay “typical monthly production royalties” to Debtor; suspend others pending instructions.
 - “Release any income from the sale of oil and gas” to the Debtors.



Part Three: Automatic Stay



What is the Automatic Stay?

- **U.S. Bankruptcy Code prohibits persons from taking or exerting control over Debtor's property.**
- It has been described as giving the debtor “a pause to catch their breath.”
 - This removes aggressive and advantageous debt collection practices.
 - The bankruptcy case can address debts in an equitable and orderly manner.
- Bankruptcy filing operates as a stay of actions against the Debtor, including:
 - Judicial, administrative, or other action or proceeding against Debtor or to recover a claim.
 - Enforcing a judgment against Debtor or property of estate.
 - Creating, perfecting, or enforcing any lien against property of estate;
 - **Obtaining possession of or exercise control over property of estate.**
 - Collecting, assessing, or recovering pre-petition claim against Debtor.
 - Setoff of pre-petition debt owing to Debtor against any claim against Debtor.

Violating the Stay vs. Relief from Stay

- There are consequences for violating the automatic stay.
 - The bankruptcy court can punish persons who violate the stay.
- The bankruptcy court can grant relief from the stay when warranted.
 - For example:
 - A mortgage lender can seek relief from stay to proceed with a foreclosure lawsuit.
 - An automobile finance company can seek relief to repossess a vehicle.
- Can oil and gas producers run afoul of the automatic stay? **YES**, so beware.

Example No. 1: Payments Owed by the Debtor

- Recoupment of monies owed by Debtor due to:
 - Overpayment of bonus monies or royalties.
 - Monies advanced by the producer to pay debts (*e.g.*, property taxes).
- Beware of the need to file a **proof of claim**.
 - Claims for monies owed by Debtor can be repaid through the bankruptcy.
 - Claims filed after the deadline are barred and may be discharged.

Example No. 2: Leasing and Purchasing Mineral Rights

- After the filing of the bankruptcy petition:
 - Purchase of Debtor's mineral rights.
 - Obtaining new lease of oil and gas rights.
 - Renewing or extending an existing lease.
- Trustee (not Debtor) makes the decision and must obtain court approval.
- Due diligence can avoid problems when a lessor is having financial difficulties.

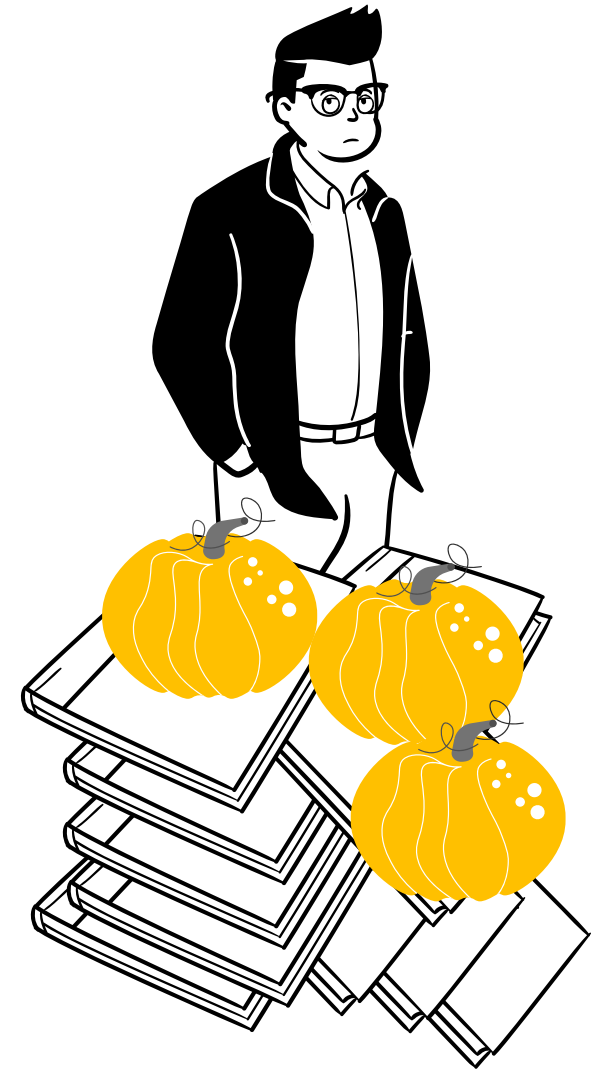
Example No. 3: Unitization

- Producer and lessor entered into a valid lease prior to the bankruptcy petition.
- Unleased royalty owners prevent voluntary pooling to form a drilling unit.
- Producer must pursue statutory unitization to proceed with development.

- Risks of proceeding without approval:
 - Allegations of a technical violation of automatic stay (control over property).
 - Objections from Trustee, Debtor, or others to application for unitization.

- Solution:
 - Communicate with attorneys for Trustee and Debtor.
 - File a motion for relief from the automatic stay.
 - Present agreed order to the bankruptcy court.
 - ***It is better to seek permission, than ask for forgiveness.***

Part Four: Mineral Title Issues



What interest are they describing?

- Bankruptcy filings can contain incomplete, inaccurate, or confusing language to describe mineral rights or leasehold interests.
- Like any publicly recorded instrument, how an interest is described creates issues if not corrected.
- Who is trying to describe the interests here?
 - Debtors – Provide information regarding mineral rights and leases to their bankruptcy counsel.
 - Debtors' counsel – Prepares the Chapter 13 Plan.
 - Chapter 13 Trustee and counsel – Comments on and/or objects to the Plan.
 - Chapter 7 Trustee and counsel – Prepares a motion to sell and an order approving the sale.
 - Bankruptcy court (judge and law clerks) – Approve Chapter 13 Plan and Chapter 7 sales.
- Do not assume all parties have a working knowledge of oil and gas matters.

Case Study – Joseph Smith’s Lease

- Joseph A. Smith and Amanda Smith entered into an oil and gas lease with Scioto Oil & Gas in 2014.
- Scioto recorded that lease in Franklin County.
- Scioto assigned a partial interest in the lease to Olentangy Oil & Gas in 2016.
- Scioto recorded the partial assignment in Franklin County.
- The Smiths file for Chapter 13 bankruptcy protection in 2023.
- The Smiths file a proposed Chapter 13 Plan at the outset of the case.
- The Plan references two leases.
- You must answer: Does the Plan adequately describe Olentangy’s interest?

Nonstandard Provisions

- Plan is a preprinted form but contains a section for “nonstandard” provisions.
- Language not otherwise found in the form must be included here.

Part 8: Nonstandard Plan Provisions

8.1 Check “None” or List Nonstandard Plan Provisions

None. *If “None” is checked, the rest of Part 8 need not be completed or reproduced.*

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box “Included” in § 1.3.

- The nonstandard provisions section in the Smiths' Plan states:

Part 8: Nonstandard Plan Provisions

8.1 Check "None" or List Nonstandard Plan Provisions

None. *If "None" is checked, the rest of Part 8 need not be completed or reproduced.*

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.

The debtors assume the lease with Scioto Oil & Gas, its successors and assigns.

The debtors assume the lease with Deep Sea Oil & Gas, its successors and assigns.

- Is Olentangy's interest adequately described?

Due Diligence – Bankruptcy Schedules

- You review the Smiths' bankruptcy petition:
 - Schedules of the Smiths' property and claimed exemptions:
 - “Oil and gas lease with Deep Sea – no royalties at this time.”
 - No mention of Scioto's lease with the Smiths, or the assignment to Olentangy.
 - Schedule of executory contracts and unexpired leases:
 - References Deep Sea's lease.
 - Joseph and his sister inherited property in Delaware County.
 - Joseph sold her the property but retained the oil and gas rights.
 - No mention of Scioto's lease with the Smiths, or the assignment to Olentangy.

Schedule G: Executory Contracts and Unexpired Leases

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

1. Do you have any executory contracts or unexpired leases?

- No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
- Yes. Fill in all of the information below even if the contracts or leases are listed on *Schedule A/B: Property* (Official Form 106A/B).

2. List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

	Person or company with whom you have the contract or lease	State what the contract or lease is for
2.1	<p>Deep Sea Oil & Gas Co.</p> <p>Name</p> <p>123 Yellow Submarine Way</p> <p>Number Street</p> <p>Mariana Trench, CA 98765</p> <p>City State ZIP Code</p>	<p>Debtor and his sister inherited property in Delaware County. Debtor sold the property to his sister and retained oil and gas rights.</p>

Due Diligence – Recorded Instruments

- You review the public record in each county, and find the following:
 - Franklin County:
 - Scioto's lease with Joseph A. Smith and Amanda Smith (2014).
 - Scioto's partial assignment of that lease to Olentangy (2016).
 - Delaware County:
 - Deep Sea's lease with Joseph A. Smith and Amanda Smith (2015).
 - Scioto's lease with Joseph Smith, Emily Foster, and Judy Nelson (2014).



Issues Presented in This Case Study

- Is Olentangy's interest adequately described?
 - “The debtors assume the lease with Scioto, its successors and assigns.”
 - “The debtors assume the lease with Deep Sea, its successors and assigns.”
- What issues are apparent here?
 - Which Scioto lease does the Plan reference – Franklin or Delaware?
 - Who is the lessor of the Scioto lease filed in Delaware County?
 - **Is “Joseph Smith” the same person as Debtor Joseph A. Smith?**

Options and Solutions

- What can be done about this situation?
 - Do nothing – but run the risk of confusion down the road.
 - Contact Debtors' counsel to point out the issue with the description.
 - File an objection to the Plan, requesting a revision to the Plan.
 - File a stipulation which seeks to clear up the confusion.

Important Documents

- Documents to review if chain of title includes bankruptcy transfer:
 - Petition for relief (date of filing and appointment of trustee)
 - Legal description of real property on applicable Schedule
 - Notice of intent to sell which reasonably identifies the property
 - Certificate of Service giving notice to object
 - Court Order authorizing sale or disposition
 - If order within one year, confirmation that no appeal, extension, stay has been filed (search of court records, Clerk's certificate)
 - Document of conveyance (deed, assignment, etc.)
 - If conveyance is pursuant to plan of reorganization (Chapter 11), order confirming the plan with plan attached

Other Considerations

- Pending or recently resolved cases won't have all documents
 - Automatic Stay may still be in effect
 - Appeal period may not have expired
 - Dismissal = reversion to debtor's estate
- Some but not all documents may be found in county real property records
 - *No requirement to document pending bankruptcies in the county*
- Remember: third party title indices may not capture all relevant documents
- If county records omit important documents, court records should be reviewed
 - All filings are public unless judge orders sealed
- Affidavits from knowledgeable persons and recitals in conveyance instruments can clarify the record and point you to important documents

Important Order Provisions

- Approval of sale
- Authorization of performance
- Valid transfer
- Self-executing provision
- Free and clear
- Assumed liabilities
- Estoppel / bar of future claims
- Anti-assignment provisions unenforceable
- Notice
- Objections
- Release of Buyers
- Relief from Automatic Stay
- No stay of order
- Final order



Sample Conveyance Recitals

WHEREAS, _____ (“*Debtors*”) filed a voluntary petition for relief under Chapter [#] of the United States Bankruptcy Code, identified as Case No. _____ (“*Bankruptcy Case*”), in the United States Bankruptcy Court for the _____ District of _____ (“*Bankruptcy Court*”);

WHEREAS, Grantor was appointed as Trustee of the Bankruptcy Estate of Debtors by [Appointment of Trustee] entered by the Bankruptcy Court on [date];

WHEREAS, [Notice of Intent to Sell] was sent to all parties of interest on [date], which provided that all objections must be filed with the Clerk of the Bankruptcy Court within [timeline];

WHEREAS, no objections were filed by such [timeline] and an [Order] approving the [Notice of Intent to Sell] was filed by the Bankruptcy Court on [date];

WHEREAS, pursuant to an [Order] entered in the Bankruptcy Case on [date], a copy of which is attached hereto and incorporated herein as Exhibit B (the “*Sale Order*”), the sale of the assets described herein to Grantee was approved and confirmed.

NOW THEREFORE, WITNESSETH: that for and in consideration of the amount set forth herein and other good and valuable consideration as set forth in the Sale Order, the receipt and sufficiency of which is hereby acknowledged, and pursuant to and in accordance with the Sale Order, Grantor does hereby GRANT and CONVEY unto Grantee

Where to Find Important Documents

- County records and title indices
- Records for applicable bankruptcy courts
 - Documents can be accessed at a bankruptcy clerk's office or through the Public Access to Court Electronic Records (PACER)
 - Account is required, fees apply for searches and viewing documents



The screenshot shows the homepage of the United States Bankruptcy Court for the District of Colorado. The header features the court's seal, the name of the court, and the names of the Chief Judge and Clerk of Court. A search bar is located in the top right corner. Below the header is a navigation menu with links to Home, Court Info, Calendar, Judges' Info, Rules, Electronic Services, For Attorneys and E-Filers, Filing Without an Attorney, and Forms. A yellow banner contains a notice about electronic filing. A sidebar on the left lists links for Case Locator (PACER), E-Filing (CM/ECF), File a Claim, and File a case or document. The main content area includes a welcome message, a mission statement, and a photograph of the court building. At the bottom, there are links for translation services in Spanish, Vietnamese, Arabic, Russian, Chinese, and German.

Searching PACER

PACER Public Access to Court Electronic Records

[Register for an Account](#) [Find a Case](#) [File a Case](#) [My Account & Billing](#) [Pricing](#) [Help](#) [Search](#)

What can we help you accomplish?



Search for a Case

Learn options to find case information.



Filing Electronically

Find court specific information to help you file a case electronically and developer resources.



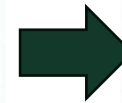
Manage Your Account

Create a PACER account or log in to manage your account and pay a bill.



Sign up for an Account

Register for a PACER account to begin searching for or filing federal court records online.



Search for a Case

[Search by Specific Court](#)

[Search by National Index](#)

[Court Opinions](#)

[Phone Access to Court Records](#)

Sample PACER Searches

- You can go to the records of a specific court or search generally
- General searches can be by party or case and may be simple or advanced
- Use advanced searches to narrow by date range, case number, case status



The screenshot shows the PACER Case Locator search interface. At the top, the PACER logo is displayed with the tagline "Public Access To Court Electronic Records". Below the logo is a blue header with the text "PACER Case Locator". A navigation bar contains links for "New Search", "Saved Items", "Court Information", and "Settings". A "Party Search" button is highlighted. The search form includes a "Party Information" section with a red asterisk indicating required information. It features three input fields for "Last Name or Entity Name", "First Name", and "Middle Name". Below these fields are two checkboxes: "Exact Matches Only" and "Match Empty First and Middle Names". There are also dropdown menus for "Party Role" and "Court Type", both currently set to "All".

NOTE: Newly filed cases will typically appear on this system within 24 hours. Check the [Court Information](#) page for data that is currently available on the PCL. The most recent data is available directly from the court.

Result Count: 31

Party Name	Case Number	Case Title	Court	Date Filed	Date Closed	Date Dismissed	Date Reopened
SVB Financial Group (dft)	☆ 2:2012cv02916	Forest Ambulatory Surgical Associates, L.P. v. United Healthcare Insurance Company	California Central District Court	04/03/2012	08/19/2016		
SVB Financial Group (dft)	☆ 2:2020cv04235	Brunner Accounting Group v. SVB Financial Group, et al	California Central District Court	05/08/2020	01/21/2021		
SVB Financial Group (dft)	☆ 5:2010cv04911	Forest Ambulatory Surgical Associates, L.P. v. United Healthcare Insurance Company	California Northern District Court	10/29/2010	03/29/2012		
SVB Financial Group (dft)	☆ 5:2017cv03018	Soper v. The Prudential Insurance Company of America et al	California Northern District Court	05/25/2017	08/01/2017		
SVB Financial Group (dft)	☆ 3:2021cv01171	Stein v. Boston Private Financial Holdings, Inc. et al	California Northern District Court	02/17/2021	04/12/2021		
SVB Financial Group (dft)	☆ 3:2023cv01097	Chandra Vanipenta v. SVB Financial Group et al	California Northern District Court	03/13/2023			
SVB Financial Group (dft)	☆ 3:2023cv01173	Snook v. SVB Financial Group et al	California Northern District Court	03/15/2023			
SVB Financial Group (dft)	☆ 3:2023cv01962	International Union of Operating Engineers Local 132 Pension Fund v. SVB Financial Group et al	California Northern District Court	04/24/2023			
SVB Financial Group (aty)	☆ 2:2020cv04235	Brunner Accounting Group v. SVB Financial Group, et al	Judicial Panel On Multidistrict Litigati	05/08/2020	08/05/2020		
SVB Financial Group (dft)	☆ 2:2020cv04235	Brunner Accounting Group v. SVB Financial Group, et al	Judicial Panel On Multidistrict Litigati	05/08/2020	08/05/2020		
SVB Financial Group (dft)	☆ 2:2020cv01304	Radix Law PLC v. Silicon Valley Bank	Judicial Panel On Multidistrict Litigati	07/01/2020			
SVB Financial Group (pla)	☆ 5:2023cv00095	SVB Financial Group et al v. Federal Insurance Company et al	North Carolina Eastern District Court	02/27/2023			
SVB Financial Group (pla)	☆ 3:2022cv00457	SVB Financial Group et al v. Drendel	North Carolina Western District Court	09/02/2022	02/07/2023		
SVB Financial Group (pla)	☆ 1:2023ap01137	SVB Financial Group and Federal Deposit Insurance Corporation,as Receiver	New York Southern Bankruptcy Court	07/09/2023			
SVB Financial Group (db)	☆ 1:2023bk10367	SVB Financial Group	New York Southern Bankruptcy Court	03/17/2023			

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Filing Date	#	Docket Text
09/26/2023	576 (11 pgs)	Affidavit of Service of Victor Wong Regarding Notice of Filing of Proposed Order, and Amended Agenda for Omnibus Hearing to Be Held September 19, 2023, at 10:00 a.m. (Prevailing Eastern Time) (related document(s) 566 , 565) filed by Kroll Restructuring Administration LLC.(Malo, David) (Entered: 09/26/2023)
09/26/2023	577 (79 pgs)	Third Monthly Fee Statement of Berkeley Research Group, LLC for Compensation for Services Rendered and Reimbursement of Expenses as Financial Advisor to the Official Committee of Unsecured Creditors During the Period from June 1, 2023 through June 30, 2023 Filed by James Savin on behalf of Official Committee of Unsecured Creditors of SVB Financial Group. (Savin, James) (Entered: 09/26/2023)
09/27/2023	578 (3 pgs)	Declaration in Support of Employment of Proskauer Rose LLP as Professional Utilized in the Ordinary Course of Business filed by James L. Bromley on behalf of SVB Financial Group. (Bromley, James) (Entered: 09/27/2023)
09/27/2023	579 (327 pgs)	Sixth Monthly Fee Statement Monthly Staffing Report and Compensation Report by Alvarez & Marsal North America, LLC for the Period August 1, 2023 through August 31, 2023 Filed by James L. Bromley on behalf of SVB Financial Group. (Bromley, James) (Entered: 09/27/2023)
09/28/2023	580 (19 pgs; 2 docs)	Sixth Chapter 11 Monthly Operating Report for the Month Ending: 08/31/2023 Filed by James L. Bromley on behalf of SVB Financial Group. (Attachments: # 1 Supplement Notes and Supporting Documentation)(Bromley, James) (Entered: 09/28/2023)
09/29/2023	581 (3 pgs)	Affidavit of Service of Tariful Huq Regarding Third Monthly Fee Statement of Berkeley Research Group, LLC for Compensation for Services Rendered and Reimbursement of Expenses as Financial Advisor to the Official Committee of Unsecured Creditors During the Period from June 1, 2023 through June 30, 2023 (related document(s) 577) filed by Kroll Restructuring Administration LLC.(Malo, David) (Entered: 09/29/2023)
10/02/2023	582 (57 pgs)	Fifth Monthly Fee Statement of Cole Schotz P.C. for Professional Services Rendered and Disbursements Incurred as Efficiency and Conflicts Counsel to the Official Committee of Unsecured Creditors for the Period of August 1, 2023 through August 31, 2023 Filed by Seth Van Aalten on behalf of Official Committee of Unsecured Creditors of SVB Financial Group. (Van Aalten, Seth) (Entered: 10/02/2023)
10/02/2023	583 (2 pgs)	Notice of Sale Notice of Transaction Closing Regarding the Sale of the SVB Securities Business filed by James L. Bromley on behalf of SVB Financial Group. (Bromley, James) (Entered: 10/02/2023)
10/02/2023	584 (3 pgs)	Affidavit of Service of Tariful Huq Regarding Notice of Filing of Monthly Staffing Report and Compensation Report by Alvarez & Marsal North America, LLC for the Period August 1, 2023 through August 31, 2023 (related document(s) 579) filed by Kroll Restructuring Administration LLC.(Malo, David) (Entered: 10/02/2023)

Questions



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