

Recent developments at the crossroads of bankruptcy and mass torts

September 29, 2023 | Articles & Books

Davis Polk partner and Restructuring practice co-head Marshall Huebner, counsel Marc Tobak and associate Garrett Cardillo authored “Recent developments at the crossroads of bankruptcy and mass torts” in *Corporate Disputes*. The article examines recent mass tort litigation and the ways in which the Bankruptcy Code provides a unique set of tools for resolving those cases. They highlight notable developments, including a Second Circuit decision affirming the availability of third-party releases to settle mass tort litigation and a new seven-factor test for those releases, as well as two recent decisions that underscore the role that Chapter 11 can (and cannot) play to maximize the recovery of, and ensure fairness among, mass tort victims.

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