

JOHN DANIEL McLAUGHLIN, Jr.
801 Meadows Drive
Argyle, Texas 76226
Cell: (484) 437-2676
Office: (302) 300-4252
Facsimile: (302) 300-4253
jack@mclaughlincounsel.com
johndmclaughlinjr@gmail.com

LEGAL EXPERIENCE

Partner, Ciardi & Astin, Wilmington, DE. 2010 – 2019; 2024 – Present. Boutique commercial bankruptcy and commercial litigation practice. Represent debtors, creditors, committees, trustees and fiduciaries in bankruptcy cases, workouts and other insolvency proceedings; primary responsibility for commercial litigation in federal and state courts; argued appeals before the Third Circuit; issued opinion letters on matters of Delaware law; conducted closings on commercial transfers; extensive “Chapter 5” litigation experience.

Of Counsel, Ferry Joseph, P.A., Wilmington, DE. 2019 – 2024. Continuation of existing bankruptcy practice with expansion into increased Chancery and Superior Court litigation.

Outside General Counsel, Military Assistance Project, Philadelphia, PA. 2016; 2019 - 2019. Advisory Board Member, 2013 – 2019; Volunteer Lawyer, 2013 – 2019. Advised and trained staff on technical matters of law and procedure; conducted monthly consultations for troubled veterans through the Veterans Multi-Service Center, Coatesville, PA; represented individual veteran-debtors in chapter 7 cases in Delaware and Pennsylvania.

Mediator, Franklin Mediation, LLC, Wilmington, DE. 2012 – 2017. Certified mediator in the Delaware Bankruptcy, Superior, and Family Courts. Conducted mediations of commercial and consumer bankruptcy disputes.

Special Counsel, Young, Conaway, Stargatt and Taylor, LLP, Wilmington, DE. 2000 – 2010. Corporate Reorganization and Bankruptcy. Represented trustees in complex commercial chapter 7 and 11 cases; conducted auctions and asset sales; represented chapter 11 debtors in possession; litigated involuntary bankruptcy petitions; represented creditors’ committees.

Senior Attorney Advisor (GS-905-15), Office of the United States Trustee, U.S. Department of Justice, Philadelphia, PA. 1992 - 2000. Primary responsibility for oversight of bankruptcy matters in Delaware including multiple “mega-cases”; litigated contests concerning debtor-in-possession financing, professional retention and compensation; selected creditor and equity committees; litigated committee formation and composition disputes; presided at meetings of creditors; responsible for enforcement of unauthorized practice of law rules in Delaware and the Eastern District of Pennsylvania. Executive Director's Award for Excellence in Legal Advocacy, 1999; Sustained Superior Performance Award, 1997, 1996, 1994; Outstanding Performance Rating, 1996, 1995, 1994.

Associate, Law Office of Karl E. Friend, Allentown, PA. 1991 - 1992.

Boutique bankruptcy and commercial litigation practice. Mixed debtor and creditor commercial bankruptcy representations; commercial case Federal jury trial lead counsel.

General Counsel, Daylesford Holding, Inc., Louisville, KY. 1989 - 1991.

Closely held corporation involved in real estate development in Eastern Pennsylvania and mineral exploration in central Kentucky; document preparation; advocated before planning and zoning boards; represented client in building disputes; coordinated work of outside counsel.

Adjunct Lecturer, Institute for Paralegal Training, Philadelphia, PA. 1987-1989. Instructed Pennsylvania civil procedure and mortgage foreclosure.

General Practitioner, Media, Delaware County, PA. 1985 - 1989.

General civil, domestic, criminal and administrative practice; represented individuals and small business entities. Extensive trial experience including civil and felony criminal jury trials.

BAR ADMISSIONS

Pennsylvania, 1985; Delaware, 2001; U.S. District Court for the Eastern District of Pennsylvania, 1985; U.S. District Court for the District of Delaware, 2002; U.S. Court of Appeals for the Third Circuit, 1986; U.S. Court of Appeals for the Armed Forces, 1986, U.S. Supreme Court, 2006; U.S. Court of Appeals for Veterans Claims, 2010; U.S. District Court for the Middle District of Pennsylvania, 2014; U.S. Veterans Administration, 2017.

GENERAL EXPERIENCE

Assistant Director, Nutrition Department, The Johns Hopkins Hospital/Saga Corporation, Baltimore, MD. 1980 - 1981.

Captain, Judge Advocate General's Corps, United States Army;

Active Duty, 1975 - 1980, 1985; Reserve Service, 1980 - 1983, 1985 - 1988. Meritorious Service Medal, Army Commendation Medal with Oak Leaf Cluster, Army Achievement Medal, Korea Defense Service Medal, Commonwealth of Virginia Commendation Medal, State of Maryland Commendation Medal with Oak Leaf Cluster.

EDUCATION

J.D. *cum laude*, The Delaware Law School of Widener University, 1985. Phi Kappa Phi; Phi Delta Phi; Wapner-Newman Pro Bono Prize; Weeks Outstanding Service Award, SBA Outstanding Service Award, Honor Committee, Merit Scholarship.

M.S. (Systems Management), Florida Institute of Technology, 1979.

B.A. (Religious Studies/Psychology), The University of Virginia, 1975. Pi Kappa Phi.

Diploma, Archmere Academy, Claymont, DE, 1971.

COMMUNITY INVOLVEMENT

Attorney Guardian *ad litem*, Delaware Office of the Child Advocate, Wilmington, DE.
2003 – 2023. Court appointed attorney guardian *ad litem* for children in dependency and neglect proceedings before the Family Court. Service to Children Award, 2013

Volunteer Attorney, Delaware Volunteer Legal Services, Wilmington, DE.
Representations *pro bono* in domestic matters, primarily protection from abuse and child custody cases. 2003 – 2023.

Saint Patrick's Day Society, Saint Patrick Center, Wilmington, DE.

Boy Scouts of America, 1997 – Present. District Committee Member; Chapter Adviser/Order of the Arrow; Assistant Scoutmaster, Troop 225, Committee Member, Pack 225; Silver Beaver Award, District Award of Merit, Vigil Honor/Order of the Arrow, Fortunato Outstanding Service Award.

Archdiocese of Philadelphia Catholic Committee on Scouting. 2001 - Present. County Chairman, Certified Counselor. Saint George Emblem, Saint John Neumann Emblem.

PRESENTATIONS

Guest Lecturer, Temple University School of Law, "*Power and Jurisdiction of the Bankruptcy Courts*", 31 August 2010

Instructor, Lorman Educational Services, "*Bankruptcy in Delaware*", 24 June 2005

Panelist, Delaware Bankruptcy Inn of Court, topic: "*Critical Vendors*", 15 February 2005

Panelist, Delaware Bankruptcy Inn of Court, topic: "*A Model DIP Financing Order: Commentary from the Major Players*", 18 May 2004

Panelist, Delaware Bankruptcy Inn of Court, topic: "*Bid Protections in Bankruptcy Auction Sales*", 17 February 2004

Panelist, Delaware Bankruptcy Inn of Court, topic: "*Indemnification of Financial Advisors in Chapter 11 Engagements*", 10 December 2002.

Panelist, Seventh Annual Bankruptcy Institute, Pennsylvania Bar Institute, topic: *"Regional Practice: The Way The Game Changes from Jurisdiction to Jurisdiction"*, 12 August 2002.

Panelist, Delaware State Bar Association, topic: *"US. Bankruptcy Court Practice"*, 15 April 2002, 17 September 2003.

Panelist, Delaware Bankruptcy Inn of Court, topic: *"Indemnification of Financial Advisors in Chapter 11 Cases"*, 5 February 2002

Panelist, Business Bankruptcy Committee, American Bankruptcy Institute, topic: *"Key Executive Retention and Severance Program in Chapter 11 Cases"*, 30 November 2001

Panelist, Rodney Inn of Court, topic: *"Preparing To File The Chapter 11 Case and The First Day Hearing"*, 29 March 2001

Instructor, National Bankruptcy Training Institute, USDOJ, Bankruptcy Fraud: Civil and Criminal Enforcement Course, 24 May 2000

Panelist, Eastern District of Pennsylvania Bankruptcy Conference, topic: *"Corporate Governance: Who Rules The Roost in a Chapter 11?"*, 16 May 2000

Instructor, Philadelphia Field Office, Federal Bureau of Investigation Basic Bankruptcy Seminar, topic: *"Unauthorized Practice of Law"*, 11 May 1999

Guest Lecturer, Widener University School of Law topic: *"The Role and Function of the United States Trustee"*, 29 April 1997

Instructor, Philadelphia Association of Paralegals Conference, topic: *"Unauthorized Practice of Law Issues for the Philadelphia Bankruptcy Paralegal"*, 25 October 1996

PUBLICATIONS

Co-author, *"Supreme Court Announces New Plausibility Standard for Rule 12(b)(6) Dismissal"*, ABI Journal, July 2007

Co-author, *"Bankruptcy Considerations Regarding Collection of Debts"* in The Legal Issues of Problem Collections in Pennsylvania, 55 (National Business Institute 1991).

REPRESENTATIVE REPORTED CASES AS LEAD COUNSEL

- In re Outer Harbor Terminal, LLC*, 567 B.R. 708 (Bank. D. Del. 2017)
- SCH Corp. v. CFI Class Action Claimants*, 597 Fed. Appx. 143 (3d Cir. 2015)
- SCH Corp. v. CFI Class Action Claimants*, 569 Fed. Appx. 119 (3d Cir. 2014)
- CFI Class Action Claimants v. Singley (In re SCH Corp.)*, 2013 U.S. Dist. LEXIS 94566
- Trustee v. Barenberg (In re Bernard Technologies, Inc.)*, 398 B.R. 526 (Bankr. D. Del. 2008)
- In re Atlantic Gulf Communities Corp.*, 369 B.R. 156 (Bankr. D. Del. 2007)
- In re Bernard Technologies, Inc.*, 342 B.R. 174 (Bankr. D. Del. 2006)
- In re Atlantic Gulf Communities Corp.*, 326 B.R. 294 (Bankr. D. Del. 2005)
- In re American MetroComm Corporation*, 303 B.R. 32 (Bankr. D. Del. 2003)
- Patton v. Scholl*, 1998 WL 779238 (Bankr. E.D. Pa.),
affirmed in part, reversed in part 1999 WL 431095 (E.D. Pa.)
- In re Bodnar*, 1998 WL 4808856 (E.D. Pa.)
- Chrysler Corp. v. U.S. Trustee (In re Doehler-Jarvis, Inc. et al.)*, 9 Bankr. L. Rptr. 1384
(D. Del. 1997)
- In re Campanella*, 207 B.R. 435 (Bankr. E.D. Pa. 1997)
- In re Willman*, 1997 WL 781878 (Bankr. E.D. Pa.)
- Ross, U.S. Trustee v. Smith et al.*, 181 B.R. 814 (Bankr. E.D. Pa. 1995),
adopted and enforced, 184 B.R. 670 (E.D. Pa. 1995).
- In re Skobinsky*, 167 B.R. 45 (E.D. Pa. 1994).
- In re Darmstadt Corp.*, 164 B.R. 465 (D. Del. 1994).
- In re Evans*, 153 B.R. 960 (Bankr. E.D. Pa. 1993).
- U.S. ex rel. Karr v. Castle et al.*, 746 F. Supp. 1231 (D. Del. 1990)