

Stern v. Marshall: The Anna Nicole Smith Bankruptcy Story

AUGUST 10, 2011

Winston & Strawn presented an eLunch titled “*Stern v. Marshall*: The Anna Nicole Smith Bankruptcy Story” on Wednesday, August 10, 2011 at 12:15 p.m. (Central).

Recently, the United States Supreme Court resolved a 15-year long legal dispute between Vickie Lynn Marshall, better known as Anna Nicole Smith, regarding a state law counterclaim asserted by Vickie against her eldest stepson E. Pierce Marshall, concerning the estate of her husband J. Howard Marshall II, an 89-year-old billionaire. In a 5-4 decision, the Court found that while the Bankruptcy Court was statutorily authorized to enter a final judgment on the counterclaim as a “core” bankruptcy proceeding under 28 U.S.C. § 157(b)(2)(C), such provision was, however, unconstitutional. This decision limits the power of bankruptcy courts to issue final rulings on state law counterclaims displacing such claims and, potentially, certain other “core” claims, to non-bankruptcy forums (either state courts or federal district courts), which could result in wide-ranging implications for jurisdictional litigation and the finality of bankruptcy decisions.

Winston & Strawn partners [Carey Schreiber](#) and [Daniel McGuire](#) led an interactive presentation that explored the latest developments and what one needs to know about the potential implications of *Stern v. Marshall*.

The presentation focused on:

- Summary of the complex legal background of the *Stern v. Marshall* case
- Discussion of the majority decision by Chief Justice Roberts
- Analysis of the potential long-term legal and practical implications of the decision

An eLunch is a complimentary, interactive seminar where participants watch and listen to a presentation given by Winston & Strawn attorneys over the Internet.

Clients and friends of the firm are invited to attend seminars and events. We reserve the right to limit attendance at any firm event.

NOTE: CLE credit is not available for listening to our pre-recorded eLunch or webinar briefings.

1 Min Read

Related Locations

Chicago

New York

Related Capabilities

Transactions

Related Professionals



Daniel J. McGuire



Carey Schreiber