



Henry E. Gallagher, Jr.

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Hank Gallagher has been practicing law for more than thirty years following a judicial clerkship in which he worked for a variety of judges on cases in the Delaware Superior, Chancery and Supreme Courts. He has extensive experience in corporate and commercial litigation in the state and federal courts in Delaware. His practice also includes advising Delaware companies, boards of directors, managers, and special committees, on issues of law governing corporations and business.

Hank serves as Chair on the Council of the Corporation Law Section of the Delaware State Bar Association, the professional organization responsible for overseeing legislative changes to Delaware's nationally-prominent corporation and business laws. He is ranked among Delaware's leading Chancery practitioners according to *Chambers USA: Guide to America's Leading Lawyers for Business*. In addition to *Chambers USA*, Hank has been recognized since 2006 by *Best Lawyers in America*[®] for corporate law, commercial litigation, and M&A litigation. He has also been recognized in Delaware Super Lawyers and by Delaware Today, *Top Lawyers* for commercial and corporate law. Hank is AV[®] rated in Martindale-Hubbell's Preeminent[™] Peer Review certification.

Hank is a Fellow of the Litigation Counsel of America, an honorary society for trial attorneys. He has served by appointment of the Delaware Supreme Court on its Board of Bar Examiners (1999-2005) and Board on Professional Responsibility (1984-1992). He has been appointed by the Delaware Court of Chancery as a custodian, receiver, or trustee of various Delaware entities. Hank has also served for many years as a member of the board of directors of United Cerebral Palsy of Delaware, Inc.

Education

- Villanova University Law School, J.D. (1975)
- Villanova University, A.B. (1971)

Bar Admissions

- Delaware
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Claims Court

Honors

- Delaware Today Top Lawyers -Business Commercial
- The Best Lawyers in America[®] -Commercial Litigation, Corporate Law, Corporate Governance Law, Litigation- Banking & Finance, Litigation - Mergers & Acquisitions

Representative Experience

- In re Alere-Abbott Merger Litigation, C.A. No. 12963-VCG (Del. Ch.)
- Wasik v. Mariano, et al., C.A. No. 12953-VCL (Del. Ch.)
- DV Realty Advisors, LLC v. Policemen's Annuity and Benefit Fund of Chicago, Illinois, C.A. No. 7204-VCS (Del. Ch.), No. 464, 2016 (Del.)
- FdG Logistics LLC v. A&R Logistics Holdings Inc., C.A. 9706-CB (Del. Ch.)
- American International Group Inc. Consolidated Derivative Litigation, C.A. No. 769
- Forsythe v. ESC Fund Management Co. (U.S.), Inc., Del. Ch., C.A. No. 1091-VCL
- GE Funding Holdings Inc. v. FGIC Corp., Del. Ch., C.A. No. 4012-CC (2008)
- In re Barnes & Noble Stockholder Derivative Litigation, Del. Ch. C.A. No. 4813-CS (2011)
- N.K.S. Distributors, Inc. v. Christopher J. Tigani, et al., Consolidated C.A. No. 4640-VCP
- Northern Delaware Clean Water Corp. v. City of Wilmington, 1995 Del. Ch. LEXIS 139
- Partners v. Beck, Del. Ch., C.A. No. 13252
- Frank v. Arnelle, Del. Ch., C.A. No. 15642
- Fanning v. Hummer, Del. Ch., C.A. No. 1950-0 NC
- Concord Plaza Assocs. v. Honeywell, Inc., Del. Super.
- City of Wilmington v. Veolia Water (2007)
- Carlton Investments v. TLC Beatrice Int'l Holdings, Inc., Del. Ch., C.A. No. 13950
- Barker Capital v. Rebus, Del. Super.
- Alpine Inv. Partners v. LJM2 Capital Mgmt, L.P., Del. Ch.
- In re Wheelabrator Tech. Inc. S'holders Litig., Del. Ch.

- In re Rust Int'l Inc. Shareholders Litigation, Del. Ch.
- In re Reliance Securities Litigation, D. Del., C.A. No. 99-858-RRM
- In re PeopleSoft, Inc. Shareholder Litig., Del. Ch.
- In re Digex Inc. Shareholders Litigation, Del. Ch., C.A. No. 18336
- In re Chemical Waste Management Inc. Shareholders Litigation, C.A. No. 13638
- In re Ascent Inc. Shareholders Litigation, Del. Ch., C.A. No. 17201
- Reagan v. Randell, Del. Ch.
- LJM2 Co-Investment, L.P. v. LJM2 Capital Mgmt., L.P., Del. Ch., C.A. No. 19609 NC (2005)
- Lipson v. Supercuts, Inc., Del. Ch., C.A. No. 15074-NCC
- James Julian, Inc. v. Dept. of Transp. of the State of Del., Del. Ch.
- In re: Transkaryotic Therapies, Inc., Del. Ch., C.A. No. 2776-CC

Publications

- 2019 Amendments to Delaware's General Corporation Law and Alternative Entity Statutes
- 2018 Amendments to Delaware's General Corporation Law and Alternative Entity Statutes
- TransPerfect Bill is Misguided, Supporters Using Misinformation
- Court of Chancery Issues Best Practices Guidelines for Practitioners
- Court of Chancery Precludes Limited Partner from Prematurely Withdrawing Its Investment from Partnership