

Millenium Lab Holdings— Ruling on Third Party Releases Highlights Continuing Constitutional Questions Regarding Power of Bankruptcy Courts

[Benjamin D. Feder](#)

May 19, 2017

Law360 published special counsel [Ben Feder's](#) Bankruptcy Law Insights blog post, "Millenium Lab Holdings - Ruling on Third Party Releases Highlights Continuing Constitutional Questions Regarding Power of Bankruptcy Courts." The article discusses the *Millenium Lab Holdings* case where Delaware District Court Judge Leonard Stark, on an appeal from a bankruptcy court order confirming a plan of reorganization, upheld a challenge to the bankruptcy court's constitutional authority to release claims against non-debtor third parties under the plan. Judge Stark's opinion demonstrated the extent to which the constitutional questions raised by the Supreme Court in *Stern v. Marshall* continue to cast a shadow over the adjudication of bankruptcy cases. The blog post goes on to further explore the *Stern* case and how Judge Stark's opinion in the *Millenium Lab Holdings* highlights the ongoing uncertainty created by this case.

To read the full blog post, please [click here](#).