

PUBLICATIONS

Supreme Court Expands Insurers' Rights by Holding That Insurers Are "Parties in Interest" in Bankruptcy Proceedings

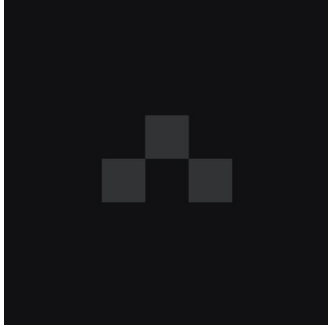
New York Law Journal

September 2024

In an article for the *New York Law Journal* titled, "Supreme Court Expands Insurers' Rights by Holding That Insurers Are 'Parties in Interest' in Bankruptcy Proceedings," Schulte Roth & Zabel of counsel Howard Epstein, partner Ted Keyes and associate Julia Cummings analyze the US Supreme Court's notable ruling in *Truck Insurance Exchange v. Kaiser Gypsum Company*.

The Supreme Court wrapped up its 2023-24 term in June 2024, handing down a number of long-awaited rulings. In the insurance space, no decision was more highly-anticipated than that issued in *Truck Insurance Exchange v. Kaiser Gypsum Company*. In *Truck Insurance Exchange*, the issue presented was whether an insurer with financial responsibility for a bankruptcy claim is considered a "party in interest" under Section 1109(b) of the Bankruptcy Code. In its June 6, 2024 opinion, the court held that such an insurer is a "party in interest," opening the door for Truck Insurance Exchange and similarly-situated insurers to "raise and [to] appear and be heard on any issue" in a Chapter 11 case." *Truck Ins. Exch. v. Kaiser Gypsum Co.*, 144 S. Ct. 1414, 1418 (2024).

Related People



**Howard
Epstein**

Of Counsel
New York



**Theodore
Keyes**

Partner
New York



**Julia
Cummings**

Associate
New York

Practices

ENVIRONMENTAL

INSURANCE

Attachments

 [Download Article](#)