

# KELLY HART

ATTORNEYS AT LAW

## LOUIS M. PHILLIPS Partner

[louis.phillips@kellyhart.com](mailto:louis.phillips@kellyhart.com)  
P: (225) 338-5308 F: (225) 336-9763

*Baton Rouge*



### BIOGRAPHY

Louis M. Phillips is a partner at Kelly Hart Pitre and leader of the firm's Bankruptcy & Business Reorg. practice. Mr. Phillips provides legal representation and consultation for debtors, creditors, and trustees over a broad practice area, including transaction and business structuring and restructuring, bankruptcy reorganization, and bankruptcy and commercial litigation. He also handles civil cases in state and federal courts and has handled matters before the Fifth Circuit Court of Appeals.

Mr. Phillips represents debtors, debtors-in-possession, and creditors in Chapter 11 cases, borrowers and lenders in loan restructuring and workouts, and entities of all types in all practice areas of bankruptcy cases and proceedings.

Mr. Phillips serves as the permanent chair (now Chair Emeritus) of the Annual Bankruptcy Law Seminar sponsored by the Louisiana State University Center for Continuing Professional Development, a program he developed in 1995. He has taught educational programs on bankruptcy law for state judges, and was an Adjunct Professor of Law at LSU Law School from 1988 through 2019. Mr. Phillips was formerly a contributing editor to the Norton Bankruptcy Law and Practice 2nd and is the author of numerous articles for law reviews and other periodicals. Mr. Phillips is a frequent speaker and writer for legal education seminars across the country, including the Advanced Bankruptcy Course of the State Bar of Texas, Western District of Texas Bankruptcy Bench Bar; LSU Annual Bankruptcy Law Seminar, LSU Family Law and Recent Developments in Law Jurisprudence Seminars, and seminars sponsored by such esteemed groups as Stetson University College of Law, University of Missouri-Kansas City School of Law, Texas Tech School of Law, Norton Institutes on Bankruptcy Law, American Bankruptcy Institute, National Association of Bankruptcy Trustees, National Association of Chapter 13 Trustees, Rocky Mountain Bankruptcy Symposium Law Education Institute, 5th Circuit Bench-Bar Bankruptcy Conference, Mississippi Bankruptcy Conference, Bankruptcy Law Institute, MidSouth Commercial Law Institute, the Annual Oil & Gas Law Conference, and the American Bar Association as well as numerous federal district bar associations and those of and in the states of Louisiana, Minnesota, Ohio, Oregon, Tennessee, Washington and Wisconsin. Among his many other speaking engagements are lectures to the National Association of Attorneys General, Association of Consumer Bankruptcy Attorneys, and VISA International.

From 1988 - 2002, Mr. Phillips served as the Chief U.S. Bankruptcy Judge for the Middle District of Louisiana. During his tenure, he authored numerous opinions of first impression of Louisiana state law and bankruptcy law, and was the author of a number of opinions that ultimately were adopted by the Fifth Circuit and other courts as the law of those courts (i.e., *Matter of Mercer*, 246 F.3d 391 (5th Cir.2001) involving credit card fraud cases under section 523(a)(2) and *Matter of Orso*, 283 F.3d 686 (5th Cir. 2002) (wherein the Court reversed the panel and prior jurisprudence concerning the Louisiana law exemption over structured settlement annuities).

Mr. Phillips presided over the first conversion to a totally electronic filing and docketing system within the Federal Courts of the United States.

## **AFFILIATIONS AND HONORS**

### **AFFILIATIONS**

- Permanent Chair (now Chair Emeritus), Louisiana State University Center for Continuing Professional Development, Bankruptcy Law Seminar, 1995-Present
- Louisiana State University Law School, Adjunct Professor, 1988-2019
- American College of Bankruptcy, Fellow

### **HONORS**

- Listed in The Best Lawyers in America®, U.S. News & World Report, 2009-2022
  - Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law
  - Litigation-Bankruptcy
- Louisiana Super Lawyers, Thomson Reuters, 2008-2021
  - Bankruptcy: Business
- Chambers USA, Band 1, 2002-2021
  - Bankruptcy and Creditor Debtor Rights
- Louisiana Super Lawyers Top 50, Thomson Reuters, 2018
  - Bankruptcy
- Baton Rouge Best Lawyers® Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law Lawyer of the Year, U.S. News & World Report, 2017

## **EDUCATION**

- Louisiana State University, J.D., 1980
- Rhodes College, B.A., 1976

## **ADMISSIONS**

- State Bar of Louisiana, 1980
- U.S. Supreme Court
- U.S. Bankruptcy Court, Eastern District of Louisiana
- U.S. Bankruptcy Court, Middle District of Louisiana
- U.S. Bankruptcy Court, Western District of Louisiana
- U.S. Bankruptcy Court, Southern District of Texas
- U.S. Bankruptcy Court, Northern District of Texas
- U.S. Bankruptcy Court, Southern District of Mississippi
- U.S. District Court, 5th Circuit
- U.S. District Court, Eastern District of Louisiana
- U.S. District Court, Middle District of Louisiana
- U.S. District Court, Western District of Louisiana
- U.S. District Court, Southern District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Western District of Arkansas

## **SPEECHES & PUBLICATIONS**

- Featured Speaker, 25th Annual LSU Bankruptcy Law Seminar, October 2019
- Featured Speaker, 13th Annual Texas Bankruptcy Bench Bar Conference, 2019
- Featured Speaker, Fifth Circuit Bankruptcy Bench Bar Conference, 2018
- Featured Speaker, 13th Annual Bankruptcy, Insolvency, and Creditor Rights (BICR) Educational/Social Retreat, March 2018
- Featured Speaker, National Association of Bankruptcy Trustees Annual Convention, September 2017
- Featured Panelist, ABA Business Law Section Spring Meeting, April 2017
- Featured Speaker, 34th Annual National CLE Conference, January 2016
- Featured Speaker, 35th Annual Jay L. Westbrook Bankruptcy Conference, November 2016
- Lecturer; Representation and Fee Issues - Bundling Services; Additional fees for Post Confirmation Practice in Chapter 13 cases, 22nd Annual Bankruptcy Law Seminar, October, 2016
- Fifth Circuit Symposium: Bankruptcy, 35 Loy. L. Rev. 715 (1989) (with David J. Messina)
- "Developments in the Law: Bankruptcy" 54 La. L. Rev. 599 (1994) (with Diane Sciacca)
- Lecturer; "Ruminations on Property of the Estate: Does Anyone Know Why a Debtor's Postpetition Earnings, Generated by Her Own Earning Capacity, Are Not Property of the Bankruptcy Estate?" 58 La. L. Rev. 623 (1998) (with Tanya Martinez Shively)
- Lecturer; Nab Talk, Journal Of The National Association Of Bankruptcy Trustees: Musings On "The Standard Of Care Governing The Question Of Trustee Immunity And Trustee Liability: Part 1" Fall Issue 2008 Volume 24 Issue 3
- Lecturer; Nab Talk, Journal Of The National Association Of Bankruptcy "Trustees: Musings On The Standard Of Care Governing The Question Of Trustee Immunity And Trustee Liability: Part 2" Winter Issue 2008 Volume 24 Issue 4 (with Ashley S. Green)
- Lecturer; "Continuing Ruminations on Judicial Estoppel: Bargaining into the Consumer Field" 2004 No. 2 Norton Bank. L. Advisor (with Brandon A. Brown)
- "National Case Law Update" speaker at 12th Annual BICR Section Educational Retreat hosted by The Bankruptcy, Insolvency and Creditors' Rights Section of the State Bar of Wisconsin, 2017
- "National Case Law Update" speaker at 11th Annual BICR Educational/Social hosted by The Bankruptcy, Insolvency and Creditors' Rights Section of the State Bar of Wisconsin, March 2016
- "Oil and Gas Issues and Recent Cases" speaker at 5th Circuit Bankruptcy Bench-Bar Conference, associated with The Center for American and International Law, January 2016
- More than 75 other speaking and writing engagements since leaving the Bankruptcy Bench in 2002