

Delaware Powerhouse: Morris Nichols

By Jarek Rutz

Law360 (October 2, 2026, 4:00 PM EDT) -- Morris Nichols Arsht & Tunnell LLP spent the past year counseling special committees through multibillion-dollar transactions, securing a \$22.7 million patent verdict and handling major corporate litigation and Chapter 11 cases, continuing the Wilmington firm's work across the practices that have defined it for decades.

Those matters helped earn the roughly 100-lawyer firm, which operates from a single Wilmington office, a place among Law360's 2026 Delaware Powerhouses. Morris Nichols focuses its national practice on corporate counseling, corporate and commercial litigation, intellectual property litigation, and bankruptcy and restructuring.

One of the firm's busiest areas has been advising special committees of public and private company boards in transactions involving potential conflicts, according to Melissa A. DiVincenzo, chair of the executive committee and partner in the corporate counseling group.

DiVincenzo said that work increased following changes to Section 144 of the Delaware General Corporation Law, which established safe harbor procedures for certain transactions involving interested directors, officers and controlling stockholders.

"The committee work has grown, which I think is a good thing," DiVincenzo told Law360, adding that Morris Nichols has been involved in high-profile public company and take-private matters, including transactions with complicated buyer groups.

One such assignment was the firm's representation of a special committee of Mister Car Wash Inc.'s board in its \$3.1 billion take-private transaction with investment funds managed by Leonard Green & Partners LP. The deal, which closed May 22, paid \$7 per share in cash for shares not already owned by Leonard Green affiliates, with Morris Nichols providing Delaware law advice to the special committee.

Morris Nichols also spent the year in Delaware's courts. Corporate litigation partner John P. DiTomo pointed to the firm's work in the Moelis litigation, which culminated in a Delaware Supreme Court reversal, along with matters involving Tesla, WWE and busted deals.

The Moelis dispute involved a stockholder challenge to provisions of an agreement between investment bank Moelis & Co. and an entity controlled by founder Kenneth Moelis. The Delaware Supreme Court



reversed a Chancery Court ruling in January, holding that the challenged provisions were voidable rather than automatically void and that the stockholder's challenge was barred by laches.

The firm's presence in Delaware stretches back to 1930, when former U.S. District Judge Hugh Morris established the practice. In 1967, name partner Samuel Arsht chaired a committee that revised Delaware's General Corporation Law, and Morris Nichols lawyers later drafted the Financial Center Development Act of 1981 and additional legislation affecting the banking, credit card and securities industries.

That history is reflected in the firm's decision to remain centered in Delaware rather than build a network of offices elsewhere. DiTomo said Morris Nichols' model emphasizes lawyers learning from earlier generations of Delaware practitioners and working closely across practice groups.

"Our success is never going to be becoming the biggest firm," he said. "It's going to be the firm that provides the most sophisticated advice to clients."

Morris Nichols also places an emphasis on judicial clerkships. Nearly one-third of its lawyers have served as judicial clerks, according to the firm, and its alumni include former Delaware chancellors and lawyers who went on to serve on state and federal courts.

DiVincenzo said Morris Nichols' client base is not defined by a particular industry. The firm's clients include public and private companies across industries and geographies that seek advice on Delaware corporate and commercial law, while DiTomo said the firm routinely works with Fortune 500 companies.

Morris Nichols' intellectual property litigation group also had a major result in November, when a federal jury awarded client SmartSky Networks LLC \$22.7 million in patent litigation over air-to-ground technology used to provide in-flight Wi-Fi service. Morris Nichols served as lead counsel for SmartSky.

Intellectual property litigation partner Rodger D. Smith II said Morris Nichols originally entered the matter as Delaware counsel before SmartSky asked the firm to take over as lead counsel and try the case. The case was an example, he said, of the type of national work Morris Nichols lawyers can handle while remaining based in Delaware.

"We're doing national-level, New York City-type work, and you don't have to leave our little happy corner of the world called Delaware," Smith said.

In March, the IP group secured another result when the U.S. District Court for the District of Delaware granted summary judgment to Edwards Lifesciences in a patent case involving its SAPIEN 3 Ultra heart valve product, invalidating all asserted patents days before trial.

Bankruptcy and restructuring remains another major component of the firm's Delaware practice. Robert J. Dehney Sr., head of Morris Nichols' bankruptcy and restructuring group, said the practice handles matters around the country because bankruptcy law is federal, while its attorneys also maintain knowledge of Delaware courts and local practice.

He said lawyers in the group are expected to work across litigation, transactions, written advocacy, courtroom appearances and business development rather than specialize narrowly.

"If you're going to be a partner in our group, you have to be able to do all of it," Dehney said.

During the last year, Morris Nichols served as lead debtors' counsel to solar panel installation company Freedom Forever LLC, which filed for Chapter 11 protection in Delaware in April. The firm also served as co-lead counsel to Spanish Broadcasting System Inc., which filed a prepackaged Chapter 11 case in May with support from more than 90% of its noteholders and a plan intended to reduce funded debt from \$310 million to \$70 million.

Looking ahead, Smith said he expects corporate law, intellectual property litigation and bankruptcy to remain the core of Delaware's legal market, calling them the "three legs of the stool." He said the arrival of more national firms in Delaware shows they also see opportunities in the state.

DiVincenzo said Morris Nichols is not looking to double its size, merge with another firm or establish offices in other jurisdictions. Instead, she said, the firm plans to remain focused on sophisticated corporate advice and high-stakes litigation as Delaware's courts remain busy and companies continue looking to the state for corporate law.

--Editing by Adam LoBelia.