

Tom Ambro – Distinguished Service Award

Good evening ladies and gentlemen:

Every year the College presents its Distinguished Service Award to an outstanding individual in the restructuring field. The College website says that this Award is presented annually “for significant accomplishments in improving the administration of justice in the insolvency and bankruptcy field; for distinguished service consistently rendered; and to a recipient who has distinguished himself or herself in a manner consistent with the goals and purposes of the College.” Think of it as a lifetime achievement award.

The honoree tonight is the Honorable Thomas Ambro, a Judge on the United States Third Circuit Court of Appeals and, before that, a prominent bankruptcy lawyer. I have been privileged to know Tom for over 20 years.

Let’s start with some history. Tom grew up in rural Ohio, was an outstanding student, excelled in track and basketball, and was valedictorian of his high school class. He

went to Georgetown on a full scholarship and then to Georgetown Law. The best thing that ever happened to Tom in his whole life was at Georgetown, where he met Mary Lou, his wonderful wife.

Although Mary Lou was from Delaware, Tom wanted to go back to Ohio and enter politics. As a courtesy to Mary Lou, however, he agreed to look at a possible career in Delaware. That led to a clerkship for Chief Justice Herrmann, of the Delaware Supreme Court, a titan of the bar. Following his clerkship, he interviewed with Richards Layton & Finger in Wilmington. Well, the interview produced a job offer. He accepted the offer and began working as a transactional lawyer. He quickly became an acknowledged expert in the very important field of Delaware legal opinions.

Mid-career, Tom concluded that Richards Layton needed an enhanced focus on the-then still relatively new Bankruptcy Code. He became self-taught in bankruptcy, and quickly became a prime mover in Delaware's rise to national bankruptcy prominence. As

an aside, the first time I ever represented a company that needed to file a chapter 11 case in Delaware, I called the late Harvey Miller and asked whom to call in Delaware. Harvey's quick response was "call Tom Ambro – he's just terrific." I did, and Tom was.

All good things must come to an end, however. In 1999, President Clinton nominated Tom to a seat on the Third Circuit Court of Appeals. Incredibly, by today's standards, he was confirmed by the Senate only five months later with 96 Senators voting yes.

I attended Tom's investiture on the Third Circuit 17 years ago. The turnout was so enormous that it had to be held at the Grand Opera House in Wilmington, a magnificent old Victorian auditorium. It was quite an event. In addition to a large crowd, it was attended by numerous state and federal judges, as well as by Senator Roth and then-Senator Biden.

Since joining the Third Circuit, Tom has authored over 1,000 opinions, concurrences, dissents, and orders, and has sat on panels that have issued over 4,000 opinions and orders. Think about what that means for a minute. He's written more than one opinion per week, every week, for the past 17 years.

A number of his opinions have been groundbreaking, hugely precedential, and widely cited. He's written memorable opinions not only with respect to bankruptcy, but on a host of other issues.

In connection with tonight's award, I have talked to several of his colleagues on the Third Circuit. Judge Rendell told me that he was, "a thoughtful and generous colleague who cares deeply about the court as an institution and whose primary objective in approaching the work of the court is to 'get it right.'"

Another colleague, Judge Roth, told me that "he so richly deserves this award and recognition." And Judge Schwartz told me, "Who do you call when you have a tough

bankruptcy question? – Why, Tom Ambro.” I could go on and on, but it’s clear that Tom Ambro is as esteemed on the bench as he was in practice.

Tom has given back in a variety of ways to his profession and to society. He’s a 20-year member of this College; he’s chaired the ABA Section of Business Law; edited the Business Lawyer; and chaired the UCC Committee of the Delaware State Bar for 20 years. He’s a member of both the American Law Institute and the National Bankruptcy Conference, and he’s been a member of the ABA Committee on Legal Opinions since it was formed nearly 30 years ago.

Others have honored Tom as well. In 2015, he received the American Inns of Court A. Sherman Christiansen Award. That award is given annually to a member of the American Inns of Court who has provided distinguished, exceptional, and significant leadership to the American Inns of Court movement. In addition, the Delaware Bankruptcy Inn of Court has named a summer scholarship in his honor.

Let's talk a little bit now about Tom, "the person." Tom's been lucky enough to have had a long-time, wonderful marriage to Mary Lou Ambro. Together they have raised 3 great kids, now adults, including a musician and 2 doctors. They also happen to be the grandparents of 5 energetic grandkids, all of whom are the apple of Tom's eye.

If you ask people to describe Tom, one of the things they will often say first is that he is very humble, modest and self-effacing. People also describe him as incredibly decent, fair-minded and always wanting to do the right thing.

The theme that occurs over and over in conversations about Tom is that he cares deeply about those with whom he works and comes into contact, and that he treats everyone with courtesy and respect. That helps to explain why, even now, nearly 20 years after he left his firm, his former colleagues remember him with respect, admiration, and, as one of them said, "reverence."

As with all people, however, there are a few little-known facts about Tom that I feel obliged to share with you. You may not know, for example, that he loves Power Bars. (He tells me he has switched to Kind Bars.) I know this because, in one of my first meetings with him when we were working late one night getting ready to file a new case, he suddenly said that I looked tired and might be hungry. At that point he reached into his pocket, pulled out a Power Bar and said “here, try this, it will make you feel better.” Actually, it was a great idea. It tasted terrific.

Here’s another little-known fact: Tom has, for his whole life, loved the Rolling Stones. He doesn’t, however, just love them; he lives them. By that, I mean that, during his days in practice, he was renowned for sometimes, on late evenings, swaying through the offices of Richards Layton & Finger, doing an incredibly good Mick Jagger imitation, mostly done to the song, “Satisfaction.” His family recalls the same thing occurring at

home. The record is silent, however, as to whether Tom loosens up his colleagues on the bench in quite the same fashion.

I want to close by returning to Tom's investiture as a Judge of the Third Circuit 17 years ago. A number of friends and family spoke at that event, and it was deeply moving.

Linda Hayman, a partner from Skadden, was one of the speakers. Linda said that she knew for certain three things about Tom. First, she said that she was certain that he would have the courage to decide hard cases without flinching. Second, she said that Tom would be an incredibly hardworking Judge. And third, she said that whatever justice Tom dispensed in his rulings would be tempered with mercy. She said that she was certain of this because she believed that the basis of mercy was generosity of spirit, which Tom had in abundance.

Harvey Miller, of Weil Gotshal, and a prior recipient of this award, also spoke at the investiture. He said, "I know that you will not forget that there is another world out

there, a world largely inhabited by the poor, the powerless, the oppressed, the frightened, and the forlorn, and that you, as a member of the judiciary, will exercise independence and moral judgment in the protection of all in the many serious matters that will be brought before you.”

Tonight we can look back at the predictions and hopes of Linda, Harvey, and of those others who spoke at his investiture. Based on his tenure to date on the bench, we can say that Tom already has more than fulfilled the hopes expressed for him on that day.

The award that Tom receives tonight from the American College of Bankruptcy says that, “Through his scholarship, judgment, integrity, humanity, service and professionalism, Judge Ambro has embodied the highest ideals of the legal profession for over 40 years.”

**It couldn't have been said better, and on behalf of the American College of
Bankruptcy, I am honored to present to Judge Tom Ambro the 2017 Distinguished Service
Award of the American College of Bankruptcy.**