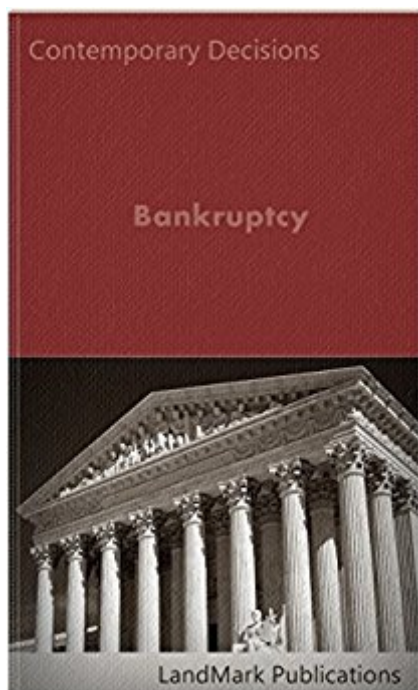


The book was found

Bankruptcy (Litigator Series)



Synopsis

THIS CASEBOOK contains a selection of 232 U. S. Court of Appeals decisions that discuss, analyze and interpret provisions of the Bankruptcy Code. The selection of decisions spans from 2004 to the date of publication. Chapter 7 of the Bankruptcy Code allows debtors to discharge their debts by liquidating certain assets to pay creditors. See generally 11 U.S.C. §§ 704(a)(1), 726, 727. The filing of a bankruptcy petition creates a bankruptcy "estate" generally comprising all of the debtor's property, a list of which the debtor must file with the bankruptcy court along with or shortly after filing the bankruptcy petition. 11 U.S.C. §§ 521(a)(1)(B)(i), 541(a)(1). Such property includes causes of action that the debtor did bring or could have brought before the petition's filing. *Tyler v. DH Capital Mgmt., Inc.*, 736 F.3d 455, 461-63 (6th Cir.2013). The estate is placed under the control of a trustee, who is responsible for managing liquidation of the estate's assets and distribution of the proceeds to creditors. 11 U.S.C. § 704(a)(1). *In re Baker*, 791 F. 3d 677 (6th Cir. 2015). The Bankruptcy Code authorizes debtors to "exempt" certain kinds of property from the estate, thereby enabling them to retain those assets post-bankruptcy, unless specifically prohibited by state law. 11 U.S.C. § 522(b), (d). Among these exemptions, the "homestead" exemption allows a debtor to exempt up to \$22,975.00 of equity in a residence. 11 U.S.C. § 522(d)(1). In addition, the "wildcard" exemption allows a debtor to exempt up to \$1,225.00 in aggregate value of "any property," as well as up to \$11,500 of any unused portion of the homestead exemption. 11 U.S.C. § 522(d)(5). Except in particular situations specified in the Code, exempt property "is not liable" for the payment of "any [pre-petition] debt" or "any administrative expense." 11 U.S.C. § 522(c), (k). *In re Baker*, *ibid.* When a debtor files a case to reorganize under Chapter 11, the debtor becomes the debtor-in-possession of the estate and takes on the rights, powers, and fiduciary duties of a trustee. *Id.* §§ 1101, 1106-1108; see also *CFTC v. Weintraub*, 471 U.S. 343, 355, 105 S.Ct. 1986, 85 L.Ed.2d 372 (1985). The debtor-in-possession retains control over the property of the estate and must repay creditors according to the terms of a reorganization plan. 11 U.S.C. §§ 1115(b), 1123, 1142. The proponent of a reorganization plan "usually, but not necessarily, the debtor-in-possession" must provide a court-approved disclosure statement that contains "adequate information" about the assets, liabilities, and financial affairs of the debtor sufficient to enable creditors to make an "informed judgment" about the plan. *Id.* §§ 1121, 1125. Creditors may accept or reject the reorganization plan in a special voting process governed by the Bankruptcy Code. *Id.* § 1126. *In re Woerner*, 783 F. 3d 266 (5th Cir. 2015).

Book Information

File Size: 9711 KB

Print Length: 590 pages

Simultaneous Device Usage: Unlimited

Publisher: LandMark Publications (January 26, 2016)

Publication Date: January 26, 2016

Sold by: Digital Services LLC

Language: English

ASIN: B01B42KG38

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Screen Reader: Supported

Enhanced Typesetting: Enabled

Best Sellers Rank: #527,044 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #42

in Kindle Store > Kindle eBooks > Law > Business > Bankruptcy #142 in Books > Law >

Business > Bankruptcy #203 in Kindle Store > Kindle eBooks > Law > Law Practice

[Download to continue reading...](#)

Bankruptcy Bible 2017: The Only Pro-Consumer Approach to Filing Bankruptcy (Ultimate Bankruptcy Series) Bankruptcy: for beginners (2nd EDITION + BONUS CHAPTER) - How to recover from Bankruptcy, rebuild your credit score and bounce back (Bankruptcy Guide for ... business owners - Credit repair Book 1) Bankruptcy (Litigator Series) Bankruptcy: The Ultimate Guide on How to File, Beat, and Recover from Personal Bankruptcy 2017 U.S. Bankruptcy Code & Rules Booklet (For Use With All Bankruptcy Law Casebooks) Bankruptcy in Georgia: What it is, What to Do, and How to Decide (What is Bankruptcy Book 10) Glannon Guide to Bankruptcy: Learning Bankruptcy Through Multiple-choice Questions and Analysis (Glannon Guides) Regulation of Power Generation (Litigator Series) The Regulation of Natural Gas (Litigator Series) Electric Utilities (Litigator Series) Natural Gas Act (Litigator Series) The Arbitrary and Capricious Standard Under the APA (Litigator Series) Horizontal Restraints: Federal Court of Appeals Decisions (Litigator Series) Sports Law: Contemporary Cases (Litigator Series) Free Appropriate Public Education: IEPs and the IDEA (Litigator Series) Federal Arbitration Act (Litigator Series) The Science of Persuasion: A Litigator's Guide to Juror Decision-Making Principles of Bankruptcy Law (Concise Hornbook Series) Bankruptcy (University Casebook Series) Bankruptcy, Cases, Problems, and Materials:

2014 Supplement (University Casebook Series)

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)