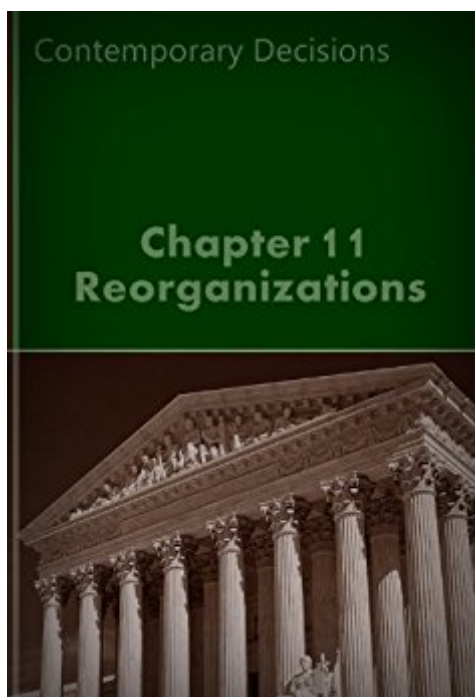


The book was found

Chapter 11 Reorganizations (Litigator Series)



Synopsis

This casebook contains a selection of 201 Federal Court of Appeals decisions that address salient issues which arise in Chapter 11 bankruptcy proceedings. The selection of decisions spans from 2005 to the date of publication. For each circuit, the cases are listed in the order of frequency of citation. The most cited decisions appear first. The Bankruptcy Code provides that "[t]he district court in which a case under title 11 is commenced or is pending shall have exclusive jurisdiction of all the property, wherever located, of the debtor as of the commencement of such case, and of property of the estate." 28 U.S.C. Â§ 1334(e)(1). Because bankruptcy courts have exclusive jurisdiction over a debtor's property, wherever located, and over the estate, it follows that the court's jurisdiction is premised on the debtor and his estate. It is this aspect of a bankruptcy court's jurisdiction that permits it to determine all claims that anyone, whether named in the action or not, has to the property or thing in question, in that t]he proceeding is one against the world. [Citations omitted.] Alderwoods Group, Inc. v. Garcia, 682 F. 3d 958 (11th Cir. 2012) A bankruptcy case under Chapter 11 commences with the filing of a Chapter 11 petition in the bankruptcy court. 11 U.S.C. Â§ 301. Commencement of the case creates the bankruptcy estate, which includes, pursuant to 11 U.S.C. p.562 Â§ 541(a)(1), "all legal or equitable interests of the debtor in property as of the commencement of the case." In re Maharaj, 681 F. 3d 558 (4th Cir. 2012) After filing a voluntary petition under Chapter 11, a debtor may file a plan of reorganization with the bankruptcy court. 11 U.S.C. Â§ 1121(a). In addition to numerous other requirements, a reorganization plan must specify classes of claims against the debtor based on specific statutory requirements. 11 U.S.C. Â§ 1123(a)(1). To be operative, a Chapter 11 reorganization plan must be confirmed by the bankruptcy court. A precondition of plan confirmation is that it meet the requirements set forth in 11 U.S.C. Â§ 1129(a). Ibid. The absolute priority rule as it applies to individual debtors in Chapter 11 has not been abrogated by BAPCPA. There may be compelling policy reasons for treating postpetition income tax liabilities as dischargeable, but Congress did not so provide in the statute. Ibid.

Book Information

File Size: 8540 KB

Print Length: 3390 pages

Simultaneous Device Usage: Unlimited

Publisher: LandMark Publications (September 9, 2012)

Publication Date: September 9, 2012

Sold by:Â Digital Services LLC

Language: English

ASIN: B0098QJPUI

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Enhanced Typesetting: Enabled

Best Sellers Rank: #633,440 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #30

inÂ Kindle Store > Kindle eBooks > Law > Procedures & Litigation > Litigation #45 inÂ Kindle Store > Kindle eBooks > Law > Business > Bankruptcy #137 inÂ Books > Law > Rules & Procedures > Litigation

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

Chapter 11 Reorganizations (Litigator Series) Summary - The 48 Laws of Power: Robert Greene --- Chapter by Chapter Summary (The 48 Laws Of Power: A Chapter by Chapter Summary--- Book, Summary, Audiobook, Paperback, Hardcover) BANKRUPTCY: 10 Mistakes to Avoid - 10 Essentials to Include: 2016 Pro-Consumer Approach (Chapter 7 & Chapter 13 Bankruptcy) (Ultimate Bankruptcy Series) Bankruptcy Basics: Chapter 7 and Chapter 13 (A Real Life Legal Guide) Consumer Bankruptcy: Fundamentals of Chapter 7 and Chapter 13 of the U.S. Bankruptcy Code, Third Edi Consumer Bankruptcy: Fundamentals of Chapter 7 and Chapter 13 of the U.S. Bankruptcy Code, Third Edition Cyber Law: Software and Computer Networks (Litigator Series) The Regulation of Natural Gas (Litigator Series) Regulation of Power Generation (Litigator Series) The Arbitrary and Capricious Standard Under the APA (Litigator Series) Electric Utilities (Litigator Series) Natural Gas Act (Litigator Series) Telecommunications (Litigator Series) Broadband (Litigator Series) Fair Credit Reporting Act (Litigator Series) Fair Debt Collection Practices Act (Litigator Series) Mortgage Foreclosure (Litigator Series) Sports Law: Contemporary Cases (Litigator Series) Class Action Settlements (Litigator Series) The Rule Against Hearsay and Its Exceptions (Litigator Series)

[Dmca](#)