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Rule 18, 2013, Detroit, Michigan became the largest city in the history of the United States to file for Chapter 9 bankruptcy protection. Jefferson County, Alabama, in 2011, and Orange County, California, in 1994, are also notable examples. The term 'municipality' denotes "a political

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All bankruptcy cases are handled in federal courts under rules outlined in the U.S. Bankruptcy Code. There are different types of bankruptcies, which are usually referred to by their chapter in the U.S. Bankruptcy Code. Individuals may file Chapter 7 or

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Chapter 13 bankruptcy, depending on the specifics of their situation.

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Chapter 11 is a chapter of Title 11, the United States Bankruptcy Code, which permits reorganization under the bankruptcy laws of the United States.

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This book is a comparative study of international practices in bankruptcy law, providing perspectives from a variety of specialisms including practitioners, lawyers, bankers, accountants and judges from the United Arab Emirates, the UK and Singapore.

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entirety, the chapters of Corporate Rescue Law An Anglo-American Perspective represent one of the most incisive and relevant treatments of comparative insolvency regimes to date. . . This book is an absolute boon: it provides the reader with a mass of legal and practical insights into the

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workings of two ostensibly divergent systems and challenges received wisdom in a fluent and persuasive manner. Not only are legal differences examined through the lens of practice, but also commercial, philosophical and social responses to failure are considered and highlighted as

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possible drivers of those real distinctions that do exist. Professor McCormack has produced an exceptional work that should be required reading for academics, practitioners and policy makers alike, and is to be warmly congratulated.
Sandra Frisby, Banking and Finance

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all help to make these chapters an indispensable tool for any scholar wishing to gain a better understanding of the similarities and differences of English and American corporate rescue laws. . . This monograph could not have come at a better time. . . The comparative

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Account in this book will help law reformers, judges and scholars to have a better grasp of the issues and appreciate better how the two systems have dealt with them. . . Comparative law has a critical role to play in promoting mutual understanding and respect. It is hoped

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that this monograph will help in that respect. Wee Meng Seng, Singapore Journal of Legal Studies This book offers an unprecedented and detailed comparative critique of Anglo-American corporate bankruptcy law. It challenges the standard characterisation that US law in the

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sphere of corporate bankruptcy is pro-debtor and UK law is pro-creditor , and suggests that the traditional thesis is, at best, a potentially misleading over-simplification. Gerard McCormack offers the conclusion that there is functional convergence in practice, while acknowledging that

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Corporate Rescue, as distinct from business rescue, still plays a larger role in the US. The focus is on corporate restructurings with in-depth scrutiny of Chapter 11 of the US Bankruptcy Code and the UK Enterprise Act, and offers other comparative overviews. Integrating

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theoretical and practical insights, this book will be of great interest to academics and practitioners, and also to policymakers in the DTI, Insolvency Service and regulatory bodies.

Fixing Dodd-Frank—a new proposal for bankruptcy law The events of the

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In the last several years on Wall Street make a compelling case for comprehensive, fundamental reform in the oversight of financial firms. In Bankruptcy Not Bailout, a group of expert contributors show why, if a new addition to the bankruptcy laws—Chapter 14—were implemented along with other

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genuine reforms, the changes could strengthen the US financial system and provide the impetus the US economy needs to thrive once again. The authors reveal the weaknesses in Dodd-Frank Title II, showing how the current law creates an elaborate, and potentially cumbersome, bureaucratic

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Procedure for triggering seizure of a financial company—and tell why Chapter 14 could greatly improve that process, creating greater financial stability and reducing the likelihood of bailouts. They lay the groundwork for a return to a clearer, more rules-based oversight regime that relies more on

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real capital and true market forces
and urge adoption of a Chapter 14
even were Dodd-Frank left untouched.

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With falling home prices and home foreclosures currently acknowledged as a severe problem in the U.S., more attention needs to be paid to the contributing phenomenon of residential developers undergoing

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liquidation, which has left behind a trail of partially-completed or abandoned properties. This dissertation presents the results of an empirical investigation aimed at understanding this phenomenon. Specifically, we addressed the following research questions: How

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Rules Chapter 11 bankruptcy cases of residential developers and home builders during this downturn been resolved? How did the actions taken by secured lenders in the course of bankruptcy proceedings shape the resolution outcome? To what extent was bank behavior during these

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Bankruptcies affected and constrained by the banking regulatory framework and culture? This dissertation research involves the analysis of more than 200 residential developers that filed Chapter 11 bankruptcy petitions between November 2007 and December 2008. The main finding is

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that only a small minority of these developers confirmed a reorganization plan. The majority of the cases were dismissed or converted to Chapter 7, culminating in foreclosure or liquidation. Over 70% of the cases showed at least one instance where a secured lender sought lift-stay

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motions to pursue foreclosure. Among such cases, orders granting the lift-stay motions were granted most of the time. Investigating this insistence on quick foreclosure, more nuanced views of banks' lending functions, risk management and their regulatory environment are explored through a

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Study of FDIC data, interviews with industry participants and banks' comment letters. A key finding is that, during a recession, banks may have a preference for liquidation in bankruptcy because of capital shortfalls and procyclical regulatory pressure to reduce portfolio

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Rulebook, particularly in real estate lending. This would be inconsistent with theories that secured lenders will choose economically optimal outcomes within a bankruptcy case, as they may choose outcomes that are sub-optimal within a bankruptcy to maximize an

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This clear and concise paperback offers easily understood explanations that demystify important bankruptcy topics without oversimplifying them. Inside Bankruptcy Law: What Matters and Why, Second Edition, helps

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continued until 2013. The history examines the FDIC's response, contributes to an understanding of what occurred, and shares lessons from the agency's experience.

The bankruptcy filing of Lehman Brothers Holdings Inc (LBHI) on 15

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September 2008, was one of the signal events of the financial crisis. The disorderly and costly nature of the LBHI bankruptcy - the largest, and still ongoing, financial bankruptcy in U.S. history - contributed to the massive financial disruption of late 2008. This book examines how the

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government could have structured a resolution of Lehman under the orderly liquidation authority of Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank) and how the outcome could have differed from the outcome under bankruptcy. Key figures surrounding

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