

**GEORGE MASON UNIVERSITY
SCHOOL OF LAW**

BANKRUPTCY LAW: 167-002

Fall 2009

Hazel Hall 225

SYLLABUS

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Text: *Bankruptcy Law – Principles, Policies, and Practice* (“*Bankruptcy Law*”) Charles J. Tabb, Ralph Brubaker. 2006 Lexis-Nexis. (*Second Edition*) plus 2008 Supplement. **U.S. Bankruptcy Code** (“*Bankruptcy Code*”) and **Federal Rules of Bankruptcy Procedure** (“*Bankruptcy Rules*”) (2006) (with amendments from the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005) (any current version of the Bankruptcy Code and Bankruptcy Rules may be used).

Internet access to <http://www.vaeb.uscourts.gov>

Class 1 – Introduction: What is Bankruptcy?

Read: *Bankruptcy Law* pgs. 1-79; *Bankruptcy Code* §§ 101, 109. SKIP the following: Questions on pages 31-32 and Problems 1.8 through 1.13; *United States v. McDermott* (pages 33-37); Questions on pages 40-41; Text on page 43 (starting with third paragraph) through page 45 (read "Practical Concerns"); Questions on page 46; Problems 1.16 through 1.20; Section "v. Issuance of an Injunction"; *Grupo Mexicano De DeSarollo, S.A. v. Alliance Bond Fund, Inc.* (pages 48-55); Questions on pages 55-56; Problem 1.21; Questions on pages 63-64.

Class 2 – Commencement of Bankruptcy

Read: *Bankruptcy Law* pgs. 79-121; *Bankruptcy Code* §§ 301, 303, 521, 522; 28 U.S.C. §157; 28 U.S.C. §§ 1408, 1409; *Bankruptcy Rule* 1002, 1004, 1007, 4003.

Class 3 – “Good Faith” and the “Means Test”

Read: *Bankruptcy Law* pg. 121-163; *Bankruptcy Code* §§ 305, 707, 1112, 1208, 1307; *Bankruptcy Rule* 1017

Class 4 – The “Means Test” and “Substantial Abuse”

Class 5 – Property of the Bankruptcy Estate

Read: *Bankruptcy Law* pgs. 163-193; *Bankruptcy Code* §§ 541, 542, 543.

Class 6 – The Automatic Stay

Read: *Bankruptcy Law* pgs. 193-209; *Bankruptcy Code* §§ 362; *Bankruptcy Rule* 4001.

Class 7 – Exceptions to the Automatic Stay

Read: *Bankruptcy Law* pgs. 209-229; *Bankruptcy Code* §§ 362; *Bankruptcy Rule* 4001; 28 U.S.C. §959(a) & (b).

Class 8 – Unsecured Claims – Part 1

Read: *Bankruptcy Law* pgs. 229-257; *Bankruptcy Code* §§ 101(5), 727, 501, 502, 503; *Bankruptcy Rule* .

Class 9 – Unsecured Claims – Priority Claims

Read: *Bankruptcy Law* pgs. 257-283; *Bankruptcy Code* § 503, 507; *Bankruptcy Rule* .

Class 10 – Unsecured Claims – Priorities 2

Read: *Bankruptcy Law* pgs. 283-293; *Bankruptcy Code* §§ 362; *Bankruptcy Rule* 4001.

Class 11 – Secured Claims

Read: *Bankruptcy Law* pgs. 293-331; *Bankruptcy Code* §§ 506(a), 506(c), 506(d), 362(c), 362(d), 363, 554, 521, 101, 102(2).

Class 12 – Secured Claims Part 2.

Class 13 – Relief from Stay and Adequate Protection

Read: *Bankruptcy Law* pgs. 331-369; *Bankruptcy Code* §§ 361, 362.

Class 14 – Executory Contracts and Unexpired Leases – Part 1

Read: *Bankruptcy Law* pgs. 369-417; *Bankruptcy Code* § 365; *Bankruptcy Rule* .

Class 15 – Executory Contracts and Unexpired Leases – Part 2

Read: *Bankruptcy Law* pgs. 417-460; *Bankruptcy Code* § 365; *Bankruptcy Rule* .

Class 16 – Executory Contracts and Unexpired Leases – Part 3.

Class 17 – Avoiding Powers – Part 1

Read: *Bankruptcy Law* pgs. 461-508; *Bankruptcy Code* § 544, 545, 546, 547, 548.

Class 18 – Avoiding Powers – Part 2

Read: *Bankruptcy Law* pgs. 508-531; *Bankruptcy Code* § 544.

Class 19 – Avoiding Powers – Part 3

Read: *Bankruptcy Law* pgs. 523-564; *Bankruptcy Code* § ; *Bankruptcy Rule* .

Class 20 – Discharge

Read: *Bankruptcy Law* pgs. 565-652; *Bankruptcy Code* §§ 101(5), 101(12), 523, 524, 525, 552, 727, 1141, 1328.

Class 21 – Exemptions – Part 1

Read: *Bankruptcy Law* pgs. 653-686; *Bankruptcy Code* § 522, 727.

Class 22 – Exemptions Part 2

Read: *Bankruptcy Law* pgs. 686-704.

Class 23 – Chapter 11 Reorganization –

Read: *Bankruptcy Law* pgs. 707-797; *Bankruptcy Code* § ; *Bankruptcy Rule* .

Last Class – Review