

SYLLABUS
Summer 2010
Bankruptcy
Professor Chung

Introductory and Administrative Matters

Assigned Readings: The assigned books for this course are:

1. Warren & Bussel, Bankruptcy (8th edition), (referred to as “WB”)
2. Warren, 2009 Bankruptcy and Article 9 Statutory Supplement

Attendance: You are required to comply with the attendance policy of the school.

Office Hours: I am available to meet before or after class, or by appointment.

Classroom conduct: Please do not be an unwanted distraction to any other student.

Possible Rescheduling of Classes: There is a possibility that two classes may need to be rescheduled due to my travel schedule (which has not been determined). Any rescheduling issue will be raised with the class.

Overview of Course

This course may be viewed as an introductory survey of bankruptcy law. The first one-half to two-thirds of the classes will focus on the sections of the Bankruptcy Code that provide the foundation of bankruptcy. These sections apply to individual and business bankruptcies, and are found in Chapters 1, 3 and 5 of the Bankruptcy Code. The remaining classes will be divided equally between a study of individual bankruptcies under Chapters 7 and 13 and business bankruptcies under Chapter 11.

Overview of Assignments

The reading assignments will be assigned in weekly segments. The first two weekly assignments follow this paragraph. The subsequent assignments for each week will be sent by e-mail. You should read all the Bankruptcy Code sections mentioned in the WB assigned pages. You will be responsible for knowing such sections. There will be handouts and cases assigned from outside the book from time to time.

Assignment for Week 1:

Please read the web page called “Reading the Balance Sheet” at <http://www.investopedia.com/articles/04/031004.asp>. You may disregard the discussion regarding “ratios”.

Pages 1 to 40 of WB.

11 U.S.C. section 101(32) and Section 2 of the Uniform Fraudulent Transfer Act (which are in the statutory supplement).

Assignment for Week 2:

Please download and read U.S. v. Whiting Pools, 462 U.S. 198 (1983).

Please also read pages 40-46 and 56 to 80 of WB.

We will attempt to cover all or part of the following chapters in the WB book this semester:

Chapter 1. Introduction to Bankruptcy

Chapter 2. The Bankruptcy Estate

Chapter 3. Claims

Chapter 4. Discharge

Chapter 5. Stays and Injunctions

Chapter 6. Executory Contracts and Leases

Chapter 7. The Avoiding Powers of the Trustee

Chapter 9. The Consumer Debtor in Chapters 7 and 13

Chapter 10. Reorganization in Chapter 11: Operating the Debtor & Proposing a Plan

Chapter 11. Reorganization in Chapter 11: Confirming a Plan

Please note that not all pages from these chapter will be assigned.

Final Examination

The final examination will be comprised of multiple choice questions and short answer questions. The examination will be “open book.” This means that you may bring any material in non-electronic form. You may not bring or refer to any information that is displayed, transmitted, stored or recorded electronically (for example: no use of cell phones or Blackberry devices).