

BANKRUPTCY ^{UP}DATE

March 20, 2014

If someone else would like to receive these ^{UP}dates, please send an e-mail to Mary_Frederickson@sdb.uscourts.gov.

New Member

Please welcome Thomas Hart to the group.

CLN Decision

You can use the link in the "Links" section below to view the following decision:

Allred v. Guzy (In re Jundt)

Issue: Whether, under Fed.R.Bankr.P. 7015 and Fed.R.Civ.P. 15(a)(2), trustee-plaintiff was entitled to file a second amended complaint adding two new counts to his first amended complaint?

Ruling: Trustee-plaintiff's request was denied because allowing the complaint to be further amended in the manner requested would be futile. Trustee-plaintiff did not have standing to pursue the new claims under 11 U.S.C. § 544(b) since he did not identify an actual creditor holding an allowable unsecured claim who could avoid the transfers under state law. The new causes of action are time-barred under 11 U.S.C. § 548 and the Minnesota Uniform Fraudulent Transfer Act.

Updated Means Testing Data

The Census Bureau's Median Family Income Data accessible through the [Means Testing Information](#) page of the U.S. Trustee Program's website has been updated. The updated data will apply to cases filed on or after April 1, 2014.

Links

[Allred v. Guzy \(In re Jundt\)](#)

[Previous Bankruptcy^{UP} dates](#)

As always, should you have questions regarding this ^{UP}date or anything else concerning your dealings with the Court or the Clerk's office, please let us know.