

BANKRUPTCY ^{UP}DATE

July 15, 2014

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New Member

Please welcome Paul Bachand to the group.

CLN Decision

Use the link in the "Links" section below to view this decision:

Allred v. Hauser (In re Jundt)

Issue: Whether the trustee-plaintiff's amended complaint regarding avoidable transfers under 11 U.S.C. §§ 544, 547(b), and 548(a)(1)(A) and (B) should be dismissed under Fed.R.Bankr.P. 7012(b) and Fed.Rs.Civ.P. 9(b) and 12(b)(6) for failing to state a claim upon which relief can be granted?

Ruling: Yes, the Court dismissed the amended complaint. In his amended complaint, the trustee-plaintiff failed to address all the necessary elements for relief under the particular code sections. The dismissal was without prejudice to the trustee-plaintiff's filing a second amended complaint by a given deadline.

Links

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