

BANKRUPTCY ^{UP}DATE

May 20, 2024

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

Information Sessions on Zoom §341 Meetings

The United States Trustee's office is planning to conduct information sessions on May 29 and 30, 2024, via Teams concerning the transition of §341 first meetings of creditors to Zoom video meetings. Please make your best effort to participate in one of these sessions to prepare for this change.

[U.S. Trustee's Announcement of Information Sessions](#)

KLT Decision

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

Grunewaldt v. Broomfield (In re Broomfield)

Issue: Whether the judgment creditor plaintiff was entitled to summary judgment concerning the nondischargeability of his claim under 11 U.S.C. §523(a)(6)?

Ruling: The Court granted the plaintiff's motion for summary judgment in part and denied it in part. The debtor-defendant's pre-petition guilty plea to "reckless burning" under S.D.C.L. §22-33-9.3 and his prior state court

testimony prevented him from relitigating the "injury" and "willful" elements of the plaintiff's claim under §523(a)(6) because of collateral estoppel, and the plaintiff was entitled to summary judgment on these elements. However, the plaintiff was not entitled to summary judgment on the "maliciousness" element and still bears the burden of proving this component of his claim under §523(a)(6).

Links

[Grunewaldt v. Broomfield \(In re Broomfield\)](#)

[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.