

Two New Cases Cast A Shadow Over Credit Bidding

June 25, 2014 | Articles & Books

Two recent bankruptcy court decisions have increased uncertainty over the right of secured creditors to credit bid in sales of debtors' assets. Relying on and expanding a rarely used "for cause" limitation on a secured creditor's right to credit bid under §363(k) of the Bankruptcy Code, these decisions may ultimately affect credit bidding rights in a broad swath of cases.

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