

Bankruptcy Preference Actions and Key Defense Strategies Webinar

January 30, 2013

Preference actions have become a critical source of recovery for debtors and trustees in corporate bankruptcy cases. In short, preference litigation allows a trustee or debtor-in-possession to recover payments received by a creditor during the period immediately preceding the bankruptcy filing so as to ensure the ratable distribution of assets among creditors. Nonetheless, creditors who understand the law may be able to raise several defenses to avoid surrendering an allegedly preferential payment. Taking an aggressive and proactive approach can often make the difference between minimal liability and an order compelling disgorgement of a substantial payment.

What You Will Hear

- An overview of preference claims including the statutory elements and litigation procedure
- A discussion of the affirmative defenses that may allow a creditor to avoid liability, including new value and ordinary course of business
- Best practices for defending against preference claims