

PUBLICATIONS

Losing Bidder Has Standing to Seek Reimbursement of Fees and Expenses

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A New York bankruptcy court recently held that a losing acquiror in a competing Chapter 11 plan fight had “standing” to seek reimbursement of its legal fees and expenses as a “substantial contribution” to the reorganization case. *In re S & Y Enterprises, LLC, et al.*, 2012 Bankr. LEXIS 4622, at *4-5 (Bankr. E.D.N.Y., Sept. 28, 2012). Nevertheless, the losing acquiror failed to recover because, in the court’s view, it failed to satisfy the statutory requirements for reimbursement with the requisite “preponderance of the evidence.” *Id.*

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