

PUBLICATIONS

Postscript on Equitable Mootness

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The Third Circuit recently handed down an important equitable mootness decision in an appeal from Chapter 11 reorganization plan confirmation orders, *In re Tribune Media Co.*, 2015 WL 4925923 (3d Cir. Aug. 19, 2015). It held that the first of the two appeals before it was equitably moot because the plan had been “consummated”; the appellant had “spurned the offer of a stay accompanied by a bond”; and “it would be unfair” to unravel “the most important aspect of the overwhelmingly approved plan.” The second appeal, though, was not moot because relief could be granted; third parties would not be harmed; and the reorganization would not be affected if the appeal was heard. In this follow-up article to “Time to Revisit Equitable Mootness,” SRZ partner Michael L. Cook reviews the Third Circuit’s decision, which narrowly accepts the equitable mootness doctrine.

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