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Bankruptcy Judge Requires Investment Funds to Disclose Major Investors

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The Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) require each corporate party in an adversary proceeding (i.e., a bankruptcy court suit) to file a statement identifying the holders of “10% or more” of the party’s equity interests. Bankruptcy Judge Martin Glenn, relying on another local Bankruptcy Rule, recently held that investment funds that are partnerships or joint ventures must also file their statements “in the public record without redactions.” In this article, of counsel Michael Cook, partner Lawrence Gelber and former Schulte lawyers David Hillman and Parker Milender discuss the Second Circuit’s decision to deny the motion of hedge fund lenders to seal corporate ownership statements.

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