

PUBLICATIONS

Bankruptcy Court Preliminary Injunction Held Not Appealable

The Bankruptcy Strategist

March 2020

A bankruptcy court's preliminary injunction was "not a final and immediately appealable order," held the U.S. District Court for the District of Delaware on Dec. 10, 2019. *In re Alcor Energy, LLC*, 2019 WL 6716420, 4 (D. Del. Dec. 10, 2019). The court declined to "exercise [its] discretion" under 28 U.S.C. § 158(a)(3) to hear the interlocutory appeal. *Id.*, citing 16 Wright & Miller, Federal Practice and Procedure, § 3926.1 (3d ed. 2017) ("There is no provision for appeal as of right from an injunction order of a bankruptcy judge to the district court."). In this article, of counsel Michael Cook discusses the bankruptcy court's decision in *Alcor* and analyzes its duty to review preliminary injunctions.

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