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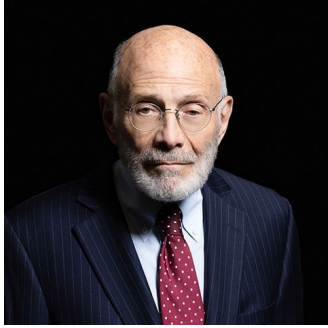
Appellate Courts Split on Bankruptcy Ownership of Malpractice Claims

The Bankruptcy Strategist

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The debtors' legal malpractice claim was "not property of their bankruptcy estate," held a split Ninth Circuit on June 30, 2020. *In re Glaser*, 816 Fed. Appx. 103, 104 (9th Cir. June 30, 2020) (2-1). But the U.S. District Court for the District of Minnesota one week later affirmed a bankruptcy court judgment that "the [debtor's] estate was the proper owner" of such a claim. *In re Bruess*, 2020 WL3642324, 1 (D. Minn. July 6, 2020). Most recently, the Sixth Circuit held that the debtors' malpractice claim was their property "and not the bankruptcy estate." *In re Blasingame*, 2021 WL 245300, 1 (6th Cir. Jan. 26, 2021). In this article, of counsel Michael Cook discusses the bankruptcy court's decision and its relevance to creditors in business cases.

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