BU2760: Week 4 Real Property Transfers and Bankruptcy Procedures

Essay 4.1

Bankruptcy and Partnership Liability Issues

Bankruptcy law is exclusively federal law and, in 2005, the Bankruptcy Abuse Prevention and Consumer Protection Act was passed by Congress that made it more difficult for debtors to file for bankruptcy and to have their unpaid debt discharged (Cheeseman, 2010, p. 435).

In this essay assignment, you will explore the various chapter filings and gain a better understanding of the process to file for bankruptcy. In addition, you will review the liability issues associated with general and limited partnership and the differences between a general partnership and a limited partnership.

To complete the assignment, do the following:

- 1. Explain the four main chapter fillings of bankruptcy.
- Review the court case concerning tort liability of general partners, Zuckerman v. Antenucci (click <u>here</u> to download the case details) After reviewing the case, answer the below questions:
 - What is joint and several liability? How does it differ from joint liability?
 - The court held that both partners in this general partnership were liable for the tortuous act and, after this case was settled, both partners decided to dissolve the partnership; however, there were several creditors' owed monies. Which of the general partners are responsible and to what extent are they responsible? Which of the four chapter filings could a general partner file bankruptcy under and why?

Submission Requirements:

- Submit your responses in a minimum of a three-page, double-spaced Microsoft Word document. Please make sure you include the title page and the reference page as part of your submission.
- Cite sources in the APA format.
- Adhere to Standard English grammar, spelling, and punctuation requirements.
- Use 12-point Arial font.

Evaluation Criteria:

Click here to view the grading rubric for this assessment.