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Rick Herold and Jacob Sparks Address the Enforceability of Third-Party Releases in Bankruptcy Plans

Spencer Fane attorneys Rick Herold and Jacob Sparks recently wrote an article published in *Arizona Attorney* magazine addressing the enforceability of third-party releases in bankruptcy plans of reorganization.

In the article, Rick and Jacob review the split between the federal circuits and answer the question, "Do the court's broad equitable powers and/or statutory powers under Sections 105(a), 524(a) or 1123(b)(6) provide it with authority to approve such [reorganization] plans?"

"We are 30+ years into a rather rousing debate as to whether a bankruptcy court has statutory or other powers to confirm a plan of reorganization that includes a claim release and injunction against future claims for the benefit of non-debtor third parties," Rick and Jacob explained in the article.

To read the full article, please click here.