

## ATTORNEYS

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## PRACTICE AREAS

Creditors' Rights and  
Bankruptcy Litigation

## "Seventh Circuit Court Slams Bankruptcy Trustee for Asserting Frivolous Claims" by Brian Fraser and H. Rowan Gaither

August 18, 2008

Bankruptcy trustees have been both aggressive and the beneficiaries of substantial deference by courts in recent years. In this short memorandum, our partners Brian S. Fraser and H. Rowan Gaither describe a recent decision from the Seventh Circuit Court of Appeals in which the court affirmed summary judgment in favor of the defendant in a litigation brought by a trustee on behalf of a bankruptcy estate and invited the defendant to seek sanctions against the trustee personally. The decision has potentially broad implications for the role of the courts in policing the conduct of trustees.

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