



Bankruptcy Attorneys Published in ABI Journal

Joseph L. Schwartz, Chair of the Firm's Bankruptcy & Corporate Restructuring Group, along with Partner Tara J. Schellhorn and Associate Agostino A. Zammiello, both of whom also practice in the Bankruptcy Group, co-authored "Risky Reinstatement. Understanding the Interplay Among §§ 1124, 1123 and 365, and What It Means to Cure a Default," which is included in the Building Blocks section of the February 2021 *American Bankruptcy Institute Journal*. The article discusses a chapter 11 debtor's ability to reinstate debt and an oversecured creditor's ability to recover default interest rate in this context. The article focuses on the concept of an impaired claim, the interplay between Sections 1124 and 1123 of the Bankruptcy Code, and the idea of "curing a default." The article delves into the split in legal authority as to whether Section 1124(2) of the Bankruptcy Code nullifies the consequences of a debtors' default. Ultimately, until these issues are fully and finally resolved by the courts, they will continue to be litigated in bankruptcy courts.

See [Risky Reinstatement](#) for a PDF of the complete article.

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