



A Look Inside "Insider" Status: An Argument for a Multi-Factor Test to Identify "Non-Statutory Insiders"

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Joseph L. Schwartz, Chair of the Firm's Bankruptcy and Reorganization Practice, co-authored an article with Counsel Tara J. Schellhorn and Associate Michael Trentin for the Norton Journal of Bankruptcy Law & Practice (volume 27, issue 6, December 2018), published by Thomson Reuters. The article, "A Look Inside 'Insider' Status: An Argument for a Multi-Factor Test to Identify 'Non-Statutory Insiders,'" discusses the potential legal determination for identifying a party as a non-statutory insider in the wake of the Supreme Court's decision in U.S. Bank National Association v. Village Lakeridge. Although the Supreme Court did not endorse a specific legal test for such determination, Justice Sotomayor, joined by Justices Kennedy, Thomas and Gorsuch, discussed the issue in an insightful concurring opinion. The article is available on Westlaw at 27 No. 6 J. Bankr. L. & Prac. NL Art. 1.

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