

"Artificial Impairment of Classes in a Cramdown Plan Permitted in Fifth Circuit," ABI Real Estate Committee

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Fifth Circuit's Decision in *In re Village at Camp Bowie I L.P.* In a recent decision, the Fifth Circuit provided its answer to the question of whether § 1129(a)(10) of the Bankruptcy Code draws a distinction between artificial and economically driven impairment and held that the plain language of that section does not distinguish between the two.