1. Record Nr. UNINA9910466332803321 Autore Wessels B. Titolo International cooperation in bankruptcy and insolvency matters / / Bob Wessels, Bruce A. Markell, Jason J. Kilborn Pubbl/distr/stampa Oxford, [England]:: New York, New York:.: Oxford University Press... 2009 ©2009 **ISBN** 0-19-971285-9 1 online resource (285 p.) Descrizione fisica Disciplina 340.9/78 Soggetti Conflict of laws - Bankruptcy Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Includes index. "A joint research project of American College of Bankruptcy and International Insolvency Institute." Nota di contenuto Contents; Authors' Note; About the Authors; Chapter 1 General Introduction; A. Insolvency and Bankruptcy; B. Roman Times; C. Middle Ages; D. Commercial Code of Napoleon and the Rise of General Bankruptcy Law: E. Emerging Tendencies from History: F. Our Stance Today: Differences in National Legal Systems; Chapter 2 Prominent Principles of Domestic Law; A. Widely Accepted Broad Principles of Insolvency Systems; 1. Maximization of Asset Value for All Creditors; 2. Recognizing/Preserving Existing Creditor Rights; 3. Equitable Treatment of Similarly Situated Creditors B. Wide Disparities with Respect to Specific Procedures and Rules1. (Un) Equal Treatment of Prepetition Claims; 2. Maximizing Value in a Common Pool; 3. Preparation and Voting on a Plan of Reorganization; C. Principles-Based Approaches to Modernization and Harmonization; Chapter 3 Guiding Approaches to International Insolvency Law; A. The Basic Theoretical Divide: Territorialism v. Universalism; 1. Territorialism and Its Discontents; 2. Universalism and Market Symmetry; B. Weighing the Advantages and Practical Impediments of the Competing Approaches

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International Cooperation in Bankruptcy and Insolvency Matters is published in cooperation with the International Insolvency Institute and the American College of Bankruptcy. The Honorable Bruce A. Markell, Dr. Bob Wessels and Prof. Jason Kilborn provide readers with invaluable insights into the origins, development, and future of communication and cooperation in cross-border insolvency cases between practitioners and the courts.