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	Titolo	2: Il regime patrimoniale della famiglia / contributi di Tommaso Auletta ... [et al.]
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2.	Record Nr.	UNINA9910788399003321
	Autore	Slenn David J.
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	Nota di bibliografia	Includes bibliographical references and index.
	Nota di contenuto	Intro -- Title Page -- Copyright Page -- Contents -- Acknowledgements -- Introduction -- Chapter One Roots of Fraudulent Transfer Law -- English Laws -- Chapter Two Early U.S. Law -- Public Policy -- Chapter Three Uniform Acts -- Characterization -- Procedural

Issues -- Actual Fraud -- Constructive Fraud -- Insider Preference Rule -- Burdens and Presumptions -- Remedies -- Prejudgment Relief Permitted -- Defenses, Liability, and Protection of Transferee -- Transferee Acts in Good Faith and Gives Reasonably Equivalent Value -- Equitable Adjustment -- Statute of Limitation/Repose -- Chapter Four Uniform Voidable Transactions Act -- Official Comments -- Controversy Regarding Official Comments -- Voidable per se -- Chapter Five The Fraudulent Transfer Iceberg: Application of Statutory & -- Common Law -- Broad Terminology -- Transfer -- Voidable -- Asset -- Exemption Creation -- Community Property -- Tenancy By Entirety -- Homestead -- Exemption Tracing -- Transferee -- Claim -- Hinder, Delay, or Defraud -- Reasonably Equivalent Value -- Necessities -- Future Creditors -- Future Unforeseeable Creditors -- Relevant State Case Law -- Substance Over Form -- Attorney Fees -- Statute of Limitations -- Right to Jury Trial -- Secondary Liability -- Choice of Law -- Actual Conflict -- Jurisdiction Pointing Test -- Chapter Six Fraudulent Transfer Law and Other Law -- Criminal Statute -- Proceedings Supplementary -- Spousal Transfer Statutes -- Rule Against Self-Settled Trusts -- Corporate Clawback -- Federal Law -- Unjustment Enrichment -- Alter Ego -- Tortious Interference with Contractual Relations -- Chapter Seven Fraudulent Transfer Law and Wealth Transfer Planning -- Estate Planning -- Transfers to Revocable Trusts -- Modification of Trust Agreement -- Third-Party Trust Planning -- Split-Interest Trusts -- Power of Appointment Trusts. Self-settled Spendthrift Trusts -- Civil Law Foundations -- Transfers Pursuant to Power of Attorney -- Change in Life Insurance Policy Ownership or Beneficiary Designation -- Exemption Planning -- Disclaimers -- Probate Administration Issues -- Family Law Planning -- Trusts or Entities Created During Marriage -- Marital Settlement Agreements & -- Sham Divorces -- Creation of Marital Property -- Business Planning -- Limited Liability Companies -- LLCs as Trust Substitutes -- Capital Contributions -- Distributions to Pay Business Owner Taxes -- Distributions From Entity in Repayment of Owner Loan -- Entity Conversions -- Sale of Business -- Allocation of Purchase Price -- Substance over Form -- Leveraged Buyouts -- Successor Liability -- Related Party Sales and Loan Transactions -- Tax Planning -- Federal Tax Liens -- Asset Protection Planning -- Asset protection trusts -- Self-settled Trusts in History -- Enforceability of Weakened Fraudulent Transfer Law -- Adviser Immunity -- Relevant Case Law -- Rule Against Self-Settled Trusts and Fraudulent Transfer Law -- Self-Settled Trusts: Various Badges of Fraud -- Chapter Eight Estate, Business or Tax Planning Excuse -- Chapter Nine Fraudulent Transfer Law Issues for Planners -- Due Diligence -- Documenting the File -- Marketing Asset Protection or Wealth Preservation -- Consequences of Actual Fraud -- Attorney-Client Privilege -- Jurisdictional Issues -- Denial of Discharge -- Disregarding Trust Relationship/Terms -- Solvency Affidavits -- Attorney Civil Liability as Transferee -- Attorney Liability for Assisting with Wrongful Conduct -- Racketeering Influenced and Corrupt Organizations Act (RICO) Actions -- Attorney Immunity Defense -- Attorney Fees -- Ethics issues -- Malpractice Issues -- Insurance Coverage -- Chapter Ten Super Creditors -- FDCPA -- Internal Revenue Service -- IRS As a Transferee. IRS as Creditor -- Securities and Exchange Commission -- Bankruptcy Court -- Strong-arm Provision -- Bankruptcy Estate Claim for Malpractice -- Extended Statute of Limitations -- Chapter Eleven Wealth Transfer Planning Issues for Creditors -- Discovery Issues -- Pro-debtor Legislation -- Notice to Creditors -- Estate Planning with Collateral -- Importance of Tracing Assets -- Solvency Analysis -- Loan

Provisions -- Family Law & -- Personal Injury Lawyers -- Chapter  
Twelve What Comes Next? -- Table of Cases -- Index -- About the  
Author.

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