

UNIVERSITY OF HOUSTON LAW CENTER

BANKRUPTCY TAX

Professor Paul H. Asofsky

Assignment – Class 1 – August 27, 2013 – 5:30 PM

Assigned reading – all:

1. Corporate Bankruptcy, sections IA-C, approximately six pages. Be sure to check any “Changes and Additions” at the front of the book for new developments.
2. Internal Revenue Code §§ 172(a), 172(b)(1)(A), 172(b)(3)
2. Bankruptcy Code § 548(a)(1)
3. *In re Feiler*, 218 F.3d 948 (9th Cir. 2000)

Optional Reading

1. *Segal v. Rochelle*, 382 US 375, 86 S.Ct. 511 (1966)

Questions for discussion:

1. Why did the debtors make the election to forego the carryback of their net operating loss? Do you think this happens often?
2. Who objected to this election?
3. What was the “property” that the court found that the debtors transferred?
4. Didn’t the debtors receive value for the property transferred?
5. How did the court deal with the rule that the election, once made, is irrevocable?