

图书基本信息

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内容概要

The number of state and federal statutes that a serious practitioner of commercial law would likely consult in the course of a career must surely reach into the hundreds. Not many practitioners would try to carry such statutes around, either in books or in their heads. But a few statutes are used over and over. Together, those few form the core of two basic subjects in commercial law, secured transactions and bankruptcy. They are reproduced here. Part 1 is state law. The Uniform Commercial Code forms the backbone of the statutes, but we catch it in transition. Article 1 (with official comments) is reproduced in full. The long-time version that remains the law in the majority of states is here, along with the newly introduced amendments that have been adopted in about a dozen states. The current version of Article 9, also with comments, is also reproduced in full. The excerpts from Articles 2 and 8 that directly intersect with Article 9 are also included. In addition to the Uniform Commercial Code, the state law section includes the Uniform Fraudulent Transfer Act, now adopted in a majority of states. Part 2 is federal law. The Bankruptcy Code, as of April 1, 2006, is reproduced in full. Extensive amendments to the Bankruptcy Code became effective October 20, 2005. There is much talk of a technical amendments bill to eliminate some of the obvious errors in the Code, but as of this printing, no such amendments have been adopted. This means there are several misnumberings and the like, all of which are faithfully reproduced here. There are no official comments for the Code, and the legislative history is spotty at best. As a result, only the Code is offered here. In addition, selections from Title 18 and Title 28 of the United States Code that are relevant to bankruptcy law are reproduced here, along with excerpts from the Federal Rules of Bankruptcy Procedure, as amended through March 2006. As a result of the 1994 Amendments, the Bankruptcy Code now includes a provision for readjustment of certain dollar figures at three-year intervals beginning in 1998. For this supplement, the current dollar amounts, amended as of April 1, 2004, are listed. Technically, the official version of the Bankruptcy Code lists the original amounts, along with the amendment that provides for subsequent change, but that seemed like an unnecessary hurdle for those trying to understand the laws in this area. In addition to the Bankruptcy Code, the Federal Tax Lien Act is also included. This Statutory Supplement has evolved over time, incorporating the suggestions of several teachers and students. In their years at Harvard, Katherine Porter, Class of 2001, Peter Eyre, Class of 2005, and Ryan Spear, Class of 2007, have each provided important assistance in the preparation of the manuscript. I am grateful for all the help. UCC provisions are reproduced with permission of the Permanent Editorial Board for the Uniform Commercial Code. Copyright 2002 by the American Law Institute and the National Conference of Commissioners on Uniform State Laws. All rights reserved.

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