
SHORT NEWS

BEITEN BURKHARDT organized a business breakfast jointly with German Centre Moscow on the topic "Problematic bankruptcy issues in Russia"

Moscow, 05 June 2019 – A business breakfast was held in German Centre in Moscow on 05 June 2019, where **Alexander Bezborodov, Natalia Bogdanova, Nikita Rodionov** and **Maxim Yuzhakov** from BEITEN BURKHARDT spoke on the topic "Problematic bankruptcy issues in Russia".

The speakers focused on the following relevant issues:

- ✓ **Participation of creditors in bankruptcy cases**
 - Inclusion of claims in the creditor claims register (timeframe and procedure for the filing of a petition; problematic issues regarding claims for the performance by the debtor of its obligations in kind)
 - Classification of a claim as a current claim (claim arising from a loan agreement, contracting agreement and services contract; guarantee obligations; the recovery of damages)
- ✓ **Protection of the rights of scheduled creditors**
 - Participation in creditors' meetings and challenges of adopted decisions
 - Challenge of the claims of a scheduled creditor (timeframe and grounds for the challenge; burden of proof)
- ✓ **Liability of controlling persons**
 - Latest developments in bankruptcy legislation on subsidiary liability and practical application of respective amendments
 - Recovery of damages in a bankruptcy: special bankruptcy and general civil law grounds
- ✓ **Contesting transactions in a bankruptcy**
 - Grounds for a challenge: special bankruptcy and general civil law grounds
 - Transactions concluded to satisfy the claims of a secured creditor: transfer of a pledged asset as compensation; payment of money
 - Performance by the debtor of the obligation of a third party. Performance by a third party of the debtor's obligation
 - Offset of mutual claims. Balance of mutual consideration
 - Fate of secured transactions if the termination of the main obligation is invalidated

- ✓ **Decisions/judgments of Russian and foreign state courts in bankruptcy cases: is mutual recognition of court orders possible (based on the current judicial practice of Russian courts)?**

The event was followed by a lively discussion, with the speakers answering questions of interest to the guests.

