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FLORIDA'S BUSINESS LAW FIRM

DOING BUSINESS IN FLORIDA, "BUSINESS OWNERS BEWARE: DEFENSES TO THE BIG BAD BANKRUPTCY TRUSTEE'S SUIT AGAINST YOUR BUSINESS FOR FRAUDULENT TRANSFERS (PART II)"

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By: Ashley Dillman Bruce

Doing Business in Florida

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Your business now faces an adversary complaint filed by the bankruptcy trustee. The complaint has several counts alleging that your business received fraudulent transfers of assets from a debtor in bankruptcy. The complaint alleges two types of fraudulent transfers. The first is actual fraud, which involves a debtor's intent to delay, hinder, or defraud its creditors. The second is referred to as constructive fraud, which involves a debtor's transfer of assets made in exchange for inadequate consideration.

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Ashley Dillman Bruce