

Cadwalader Clients & Friends Memos

May 15, 2025



Take a look at some of Cadwalader's recent Clients & Friends Memos.

"ToMAYto, ToMAHto": District Court Holds That Differences in State Law Determine Whether Unpaid Annual Pension Contributions Establish "Insolvency" for Chapter 9 Eligibility Purposes

Ivan Loncar, Casey Servais, Lary Stromfeld and Thomas Curtin have authored a Clients & Friends memo which discusses the following:

On March 21, 2025, the U.S. District Court for the Northern District of California affirmed a bankruptcy court's dismissal of the San Benito Healthcare District's chapter 9 bankruptcy petition on the grounds that the district's unpaid annual pension contributions did not suffice to establish that the district was "insolvent"—one of the prerequisites for chapter 9 eligibility. This outcome contrasts with a recent decision in Chester, Pennsylvania's chapter 9 proceeding, where Chester's unpaid annual pension contributions helped to establish that Chester was "insolvent" and therefore eligible for chapter 9. The differing outcomes in the two cases can be explained by differences in the applicable state laws.

Read more [here](#).

Federal Trade Commission Launches Public Inquiry as It Prepares to Lead President Trump's Effort to Modify and Rescind Anticompetitive Federal Regulations; Department of Justice Launches Anticompetitive Regulations Task Force

Bilal Sayyed has authored a Clients & Friends memo which discusses the following:

In accord with President Trump's deregulatory agenda, the Federal Trade Commission is seeking comment from the public on federal regulations that "exclude new market entrants, protect dominant incumbents, and predetermine economic winners and losers" and the Department of Justice has recently announced an anticompetitive regulations task force to "advocate for the elimination of anticompetitive state and federal laws and regulations that undermine free market competition and harm consumers, workers and businesses."

Read more [here](#).