

July 8, 2009 www.orb.uscourts.gov

Recent Opinions

Batlan v. Bledsoe, Adv. No. 05-7061-fra; Case No. 04-63713-fra; App. No. 07-35567
June 25, 2009

Constructive fraudulent transfer, dissolution of marriage, extrinsic/intrinsic fraud, collateral attack on state judgment, BFP v. Resolution Trust Co.

In a published opinion, the Ninth Circuit affirmed the District Court, which had affirmed the bankruptcy court's ruling that a state court dissolution of marriage which awarded most of the couple's assets to the debtor's spouse was not a fraudulent transfer that the trustee could avoid. One of the Ninth Circuit judges filed a lengthy "special concurrence" agreeing with the result but disagreeing with the majority's reasoning.

In re Roman Catholic Archbishop of Portland, Case No. 04-37154-elpl1

June 24, 2009

Standing, modification of protective order, lifting seal on filed documents, privacy rights in personnel files, FRCP 26(c), 11 USC §107

Tort claimants who had settled their claims against the debtor had standing to seek relief from a protective order covering various documents. The bankruptcy court modified the protective order to allow release of most of the documents sought, with redaction of certain "irrelevant and private information." The court did not release documents relating to parties to pending district court litigation.

Click on [Opinions](#) (the last item in the column headed **In formation for Attorneys**), for two search options. Clicking on [To view a list of all current opinions](#) takes you to a list of opinions organized by date, most recent to oldest. Entering a search term in the box on the [Opinions](#) page produces a list of results. Search logic for opinion searches appears on the [Opinions](#) page.

NEW ITEM:

Exemptions

Oregon law on exemptions (ORS 18.325(1)(d), 18.395, 18.438) changed on June 25, 2009, when Governor Kulongoski signed HB 2306. On the home page under **Court Rules and Announcements**, click on the first item, "7/1/09 - Changes in Exemption Laws," for more information and a link to the full text of HB 2306.

PREVIOUSLY PUBLISHED ITEMS:

The following is a summary of items added in the past several weeks.

ECF Training

Lawyers get 4 CLE credits for ECF training. Sessions run from 8:30 am to 12:30 pm. The currently scheduled training dates for **Eugene and Portland** are July 15 and August 13.

Message from Clerks Office

Please **do not modify** the fixed text in a local bankruptcy form (LBRs 1001.1.F. and G.)! If adequate room does not exist in any area, attachment pages may be added to the end of the form for inclusion of essential text.

Debtor-Creditor Section Website

An archive of these court updates is maintained on the Debtor-Creditor Section website at <http://www.osb-dc.org/orb.htm>.