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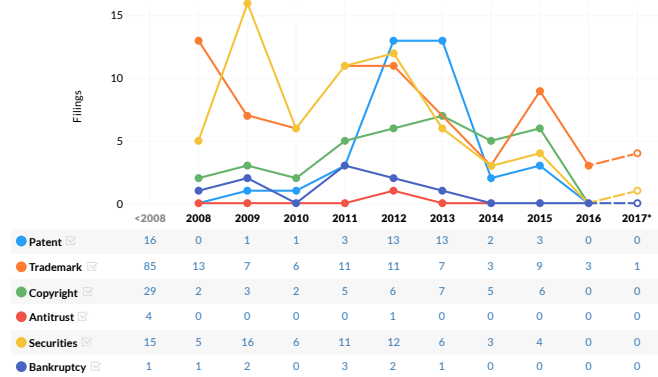
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Cases Filed by Year (Top 6 by Focus Order)



*2017 numbers are year-to-date. Open dots are full-year estimates.

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Cases (3,445)

Multicolor
 Student loan
 discharge
 chapter 13
 undue hardship
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Sort by:

1. Educ. Credit Mgmt. Corp. v. Mersmann (In re Mersmann), 318 B.R. 537

Overview: A creditor could not, on appeal, argue that the bankruptcy court erred in discharging the unpaid portion of a debtor's student loan because the creditor had two chances to protect its rights in the bankruptcy court, but it failed to do so.

Summary Headnotes Opinions

Terms: Summary

... because the creditor had two chances to protect its rights in the bankruptcy court, but it failed to do so. The debtor, who had a **student loan** through the creditor, filed for **Chapter 13** bankruptcy relief. The bankruptcy court **discharged** the amount of the **student loan** that remain unpaid after the completion of the debtor's **Chapter 13** plan. The creditor appealed. The court held that under case law, the **discharge** provision in the debtor's amended plan was an express finding of **undue hardship** that constituted a binding adjudication of **hardship** upon completion of the plan. Notice of the confirmation proceedings and the amendment motion under Fed. R. Bankr. P. 2002 was sufficient to ...

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The following reference has been editorially selected as the indicator of this case.

Citing Decision: Warning (1 of 90) - Top passage (View 4)

Headnotes cited:
Civil Actions, Time Limitations [HN3](#)

Superseded by statute as stated in:
[Davis v. Bombardier Transp. Holdings \(USA\), 1 Dec. \(CCH\) P16-161, 31 Am. Disabilities C...](#)

In early 2009, Congress passed the Ledbetter Act to override the Supreme Court's ruling in Ledbetter v. Goodyear Tire & Rubber Co., 550 U.S. 618 (2007), which held that the Ledbetter Act's retroactive application of the civil rights laws that Congress intended.

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HN6 Adjustments & Enhancements, Armed Career Criminals

Driving under the influence of alcohol, as New Mexico defines it, nowhere has as an element the use, attempted use, or threatened use of physical force against the person of another. [18 U.S.C.S. § 924\(e\)\(2\)\(B\)\(i\)](#). [More like this Headnote](#)

[Shepardize - Narrow by this Headnote \(126\)](#) Q 1 ▲ 13 ◆ 7

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Results for: What is the definition of joint tortfeasors?

Joint tortfeasors

1. Two or more persons who unite in committing a tort, or a third person. 52 Am J1st Torts §§ 110 et seq. Two or more persons whether or not judgment has been recovered against all or some of them are joint tortfeasors if (a) the injury to the plaintiff is the result of their joint work, but it is not necessary that they be acting together in tort; or (b) the injury to the plaintiff is the result of their joint work, but it is not necessary that they be acting together in tort; or (c) the injury to the plaintiff is the result of their joint work, but it is not necessary that they be acting together in tort.

Read more at: [Ballentine - joint tortfeasors](#)

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