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Sixth Circuit Trims Bank’s Good Faith Defense to Fraudulent Transfer Claims – Part II

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The first part of this two-part article series discussed what constitutes a good-faith defense to a fraudulent transfer claim with an initial examination of the recent Sixth Circuit opinion in *Meoli v. Huntington Nat’l Bank*. In the second part of this series, partner Michael Cook continues the analysis by focusing on sub-issues presented in *Meoli*, including the question of notice, the proper test of good faith and an analysis of whether banks may be considered “transferees” with respect to ordinary bank deposits. In addition, he discusses a recent Ninth Circuit preference decision that offers a mistaken analysis of the transfer issue.

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