

PUBLICATIONS

Inconvenient Bankruptcy Appeals

The Bankruptcy Strategist

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In his latest article for *The Bankruptcy Strategist* titled, “Inconvenient Bankruptcy Appeals,” Schulte Roth & Zabel of counsel Michael L. Cook explores how some district courts and bankruptcy appellate panels (“BAPs”) use their discretion when declining to review nonfinal bankruptcy court orders.

Bankruptcy courts are not infallible, and their rulings should be reviewable, Michael argues. But too many district courts and BAPs with the necessary jurisdiction regularly refuse to review nonfinal (*i.e.*, interlocutory) bankruptcy court orders for questionable reasons (*e.g.* artificially created judicial precedent). *See, In re Western Robidoux, Inc.*, 2024 W.L. 4531764, *5 (8th Cir. BAP Oct. 21, 2024) (BAP declined to review nonfinal bankruptcy court professional retention order because “review under [28 U.S.C.] §158 (a)(3) is not appropriate ...”).

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