

Bond Case Briefs

Municipal Finance Law Since 1971

FEDERAL COURTS - PUERTO RICO

In re Financial Oversight and Management Board for Puerto Rico

United States District Court, D. Puerto Rico - May 24, 2018 - B.R. - 2018 WL 2425977

In adversary proceeding arising within Commonwealth of Puerto Rico's debt adjustment case under Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA), trustee appointed pursuant to Restated Sales Tax Revenue Bond Resolution of Puerto Rico Sales Tax Financing Corporation (COFINA), as Commonwealth's statutory instrumentality, moved to certify questions to the Supreme Court of Puerto Rico.

The District Court held that certification of questions to the Supreme Court of Puerto Rico was not warranted.

Certification to the Supreme Court of Puerto Rico was not warranted of questions related to dispute between Puerto Rico and trustee appointed pursuant to Restated Sales Tax Revenue Bond Resolution of Puerto Rico Sales Tax Financing Corporation (COFINA); while issues were novel and of great importance to the people of Puerto Rico, dispute involved ownership of pledged sales taxes, but ownership would be determined by Puerto Rican law as well as federal bankruptcy law, and certification would also delay resolution of dispute.