

Bond Case Briefs

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NABL Files Amicus in Jefferson County Case.

NABL filed today an amicus brief with the 11th Circuit Court of Appeals in support of Jefferson County's request that the court take an interlocutory appeal from a ruling of the District Court in Jefferson County v. Bennett, et al. Certain Jefferson County water and sewer ratepayers brought a case in the District Court to appeal the plan of adjustment confirmed by the Bankruptcy Court in Jefferson County's bankruptcy case. Jefferson County sought to have the District Court dismiss the case as moot because the bankruptcy confirmation order had been substantially consummated when the county sold \$1.8 billion of warrants on December 3, 2013. Although the doctrine of equitable mootness has been established in other chapters of the Bankruptcy Code, this is a case of first impression with respect to Chapter 9. The District Court denied Jefferson County's motion to dismiss but did certify the question for an interlocutory appeal to the 11th Circuit.

NABL supports the 11th Circuit taking the interlocutory appeal because doing so would materially advance the disposition of the case and provide needed guidance to the municipal bond market regarding the finality of substantially consummated Chapter 9 plans of adjustment. NABL's amicus brief is available [here](#).