

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **BANKRUPTCY - CALIFORNIA**

### **Deocampo v. Potts**

**United States Court of Appeals, Ninth Circuit - September 8, 2016 - F.3d - 2016 WL 4698299 - 63 Bankr.Ct.Dec. 22 - 2016 Daily Journal D.A.R. 9390**

Following city's Chapter 9 municipal bankruptcy, judgment was entered in favor of arrestee and against individual city police officers in a § 1983 excessive force claim, and the United States District Court awarded \$314,497.73 in attorney fees in favor of arrestee.

Subsequently, the District Court denied officers' motion for relief from the judgment. Officers appealed.

The Court of Appeals held that neither judgment against officers nor subsequent award of attorney fees was discharged by the city's Chapter 9 bankruptcy.

Although city was generally obligated, under California law, to indemnify its employees for claims against them arising from their employment, only the city, not the individual officers, filed for bankruptcy and adjusted its debts, the judgment and award of fees were entered against officers solely in their personal capacities, and city's bankruptcy plan did not reference or propose to discharge claims against indemnifiable city employees.