

INSOLVENCY AND BANKRUPTCY MOOT COMPETITION, 2019

NATIONAL LAW UNIVERSITY, DELHI

THIRD EDITION: NOVEMBER 10-12, 2019

FORMAT FOR MEMORANDUM

COVER PAGE

This part must include team code (Each team will be assigned an identification number. This has to appear in the uppermost right-hand corner of its front memorial cover), the title of the matter and the name of competition and year. The sample is attached at the end.

TABLE OF CONTENTS

TABLE OF ABBREVIATIONS

TABLE OF AUTHORITIES

STATEMENT OF FACTS

Briefly point out the relevant facts from the moot proposition. The page limit for this section is 2 pages.

ISSUES RAISED

Enumerate the identified issues on behalf of all the parties.

Sample:

- 1. Issues on behalf of Corporate Debtor** (enumerate the issues)
- 2. Issues on behalf of Operational Creditors** (enumerate the issues)
- 3. Issues on behalf of Resolution Professional/ IRP** (enumerate the issues)
- 4. Issues on behalf of Financial Creditors/Creditors Committee** (enumerate the issues)
- 5. Issues on behalf of Other Parties** (enumerate the issues)

ANALYSIS OF ISSUES

In 15 pages participants are required to include a thorough analysis of all issues taking in consideration all the parties as per the moot proposition.

Sample:

1. **CORPORATE DEBTOR/ PROMOTERS OF CORPORATE DEBTORS** (Tentative issues: allegation against RP, hearing of debtor in Creditors Meeting)
2. **OPERATIONAL CREDITORS** (Tentative issues: filing/objection to proceedings; raising issues in Creditors meeting)
3. **RESOLUTION PROFESSIONAL/ IRP** (Tentative issues: conflict of issues, replacement issues; Information Memorandum/ Resolution Plan)
4. **FINANCIAL CREDITORS/ CREDITORS COMMITTEE** (Tentative issues: Proposal to replace RP etc.)- All financial creditors and inter-financial creditor disputes can be mentioned here.
5. **OTHER PARTIES**- The teams may include arguments on behalf of any other party that they deem fit in this part.
6. **CROSS-BORDER INSOLVENCY**

ANNEXURE/FORMS/REPORTS (if any)

OTHER CLARIFICATIONS

1. Teams are expected to analyse every issue from all sides in one memorial. The memorial should be a neutral document analysing potential arguments to be made by different parties due to their conflicting interests. The teams have discretion on how they want to internally structure their memorials.
2. To facilitate anonymous grading, names of the team members and the institution they represent must not appear on the memorial.
3. The teams may add other issues in addition to the 'key issues identified' if they think it is necessary.
4. Each participating side (corporate debtor, operational creditors and so on) may raise different issues.
5. The page limit for '*Analysis of issues*' mentioned is for all the parties combined and not each party individually.

TEAM CODE: XXX

INSOLVENCY AND BANKRUPTCY MOOT COURT COMPETITION

2019

IN THE MATTER OF

XXXXXX, CORPORATE DEBTOR

WRITTEN SUBMISSIONS ON BEHALF OF THE CONCERNED PARTIES