

James P. Moloy

Profile

James Moloy is a partner in the Bankruptcy and Creditors' Rights Group of Bose McKinney & Evans LLP. Mr. Moloy has extensive experience representing creditors and debtors in loan workouts and bankruptcy cases. He has participated in complex Chapter 11 cases involving electric utilities, motorsports, transportation and logistics, automotive manufacturing and steel manufacturing. Mr. Moloy also has significant experience handling appeals, including successful appeals before the Indiana Supreme Court and the Seventh Circuit.

Education

Indiana University School of Law - Indianapolis (J.D. *magna cum laude*, 1984)
Indiana University - Bloomington (B.S. with high distinction, 1981)

Honors / Awards

The Best Lawyers in America®
Indiana Super Lawyers® (2004 - present)

Representative Matters

Precision Industries, Inc. v. Qualitech Steel SBQ, LLC, 327 F.3d 537 (7th Cir. 2003)
(deciding issue of first impression at circuit level, held that sale of assets under § 363 allowed sale free of tenant's possessory interest)

Matter of Cajun Elec. Power Co-op, Inc., 109 F.3d 248 (5th Cir. 1997) (represented rural electric coops in contesting federal government's right to preempt state jurisdiction over rates charged by Chapter 11 debtor-utility)

Matter of Wabash Valley Power Ass'n, Inc., 72 F.3d 1305 (7th Cir. 1995) (defended confirmation of nonprofit electric utility's plan over objections of the federal government that the plan violated the absolute priority rule)

In re Roberts, 431 B.R. 914 (Bankr. S.D. Ind. 2010) (construing 11 U.S.C. § 1328(a)(4), court held that a pre-petition judgment is not a prerequisite to nondischargeability of damages from willful/malicious personal injuries)

Equicor Development, Inc. v. Westfield-Washington Twp. Plan Com'n, 758 N.E.2d 34 (Ind. 2001) (obtained reversal for client developer from plan commission's disapproval of plat)

Brewer v. EMC Mortgage Corp., 743 N.E.2d 322 (Ind. App. 2001) (successfully represented mortgagee's claim to tax sale proceeds)

Finucane v. Union Planters, N.A., 732 N.E.2d 175 (Ind. App. 2000) (successfully represented mortgagee in setting aside sheriff's sale over objections of buyer)

In re Amcast Automotive of Indiana, Inc., Case No. 05-33322 (Bankr. S.D. Ind. 2005) (co-counsel for debtor, tier one supplier to GM)

In re American Commercial Lines, LLC, Case No. 03-90305 (Bankr. S.D. Ind. 2003) (co-counsel for unsecured creditors committee in reorganization of barge company)

In re CART, Inc., Case No. 03-23385 (Bankr. S.D. Ind. 2003) (represented buyers in contested auction of CART racing assets)

In re American General Financial Center, 99-92144 (Bankr. S.D. Ind. 1999) (represented official creditors committee)

Appearances / Publications

Mr. Moloy is a frequent speaker at seminars presented by the Indiana Continuing Legal Education Forum in the areas of business bankruptcy and creditors' rights.

Appointments / Memberships

Member: Indianapolis and Indiana State Bar Associations; American Bankruptcy Institute; Indiana Association of Corporate Renewal (Board member); Scecina Memorial High School (Board member)



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Indiana University School Of
Law - Indianapolis

Admissions

Indiana

United States Court of Appeals for
the Federal Circuit

United States Court of Appeals for
the Fifth Circuit

United States Court of Appeals for
the Seventh Circuit

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