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A Strong Right Arm - Pittsburgh Public Schools

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â€¢ In Problem 30.1(f), Trustee cannot use strong-arm power to avoid Bankâ€™s security interest â€“ Â§ 9-317(e) permits a PM secured party to file UCC-1 within 20-day grace period, to obtain relation-back priority over intervening lien creditors â€“ Title certificate statutes also have internal â€œrelation-

The â€œStrong- Armâ€• Power Assignment 30 Secured Party vs

strong-arm powers to either avoid the mortgage or invalidate the mortgage and prevent the mortgagee from reforming the defective instrument. The mortgage will then be preserved for the benefit of the bankruptcy estate for an equitable distribution to the unsecured creditors on a pro rata basis. B.

THE TRUSTEEâ€™S STRONG-ARM POWERSâ€™MORTGAGE CHALLENGES

February 2000 D Updated for ARM architecture v5 June 2000 E Updated for ARM architecture v5TE and corrections to Part B July 2004 F Updated for ARM architecture v6 (Confidential) December 2004 G Updated to incorporate corrections to errata March 2005 H Updated to incorporate corrections to errata

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eff ects for the â€œstrong arm of the law,â€• the fear of bei ng caught. The real power of the law comes not from f ear b ut from th e bel ief that the law i s adm ini stered f airly.

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