

**Bankruptcy-remote LLC Agreement Did Not Impermissibly Restrict LLC's Right to File Bankruptcy**

In re 301 W. North Ave., LLC, Case No. 24-02741 (Bankr. N.D. Ill.

Jan. 6, 2025), the Bankruptcy Court dismissed the chapter 11 case

under 1112(b) of the Bankruptcy Code because the company had not been a member and manager, including that of its independent manager, and the court held that "[t]here is cause to dismiss a case if corporate authority is exercised by the LLC in violation of the LLC agreement. The court found that the LLC agreement did not impermissibly restrict the LLC's right to file for bankruptcy protection. The court also found that the LLC agreement did not impermissibly restrict the LLC's right to file for bankruptcy protection.

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**Delaware Bankruptcy Court Rules on WARN Act Claims in In re Yellow**

In a ruling that highlights the importance of complying with both the WARN Act and the Bankruptcy Code, the Delaware Bankruptcy Court ruled in favor of the debtor in the case of In re Yellow Corp. The court found that the debtor's failure to provide notice of mass layoffs violated the WARN Act. The court also found that the debtor's failure to provide notice of mass layoffs violated the Bankruptcy Code.

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the WARN Act and the Bankruptcy Code, the Delaware Bankruptcy Court ruled in favor of the debtor in the case of In re Yellow Corp.

Delaware Bankruptcy Court found in re Yellow Corp. Case No.

23-11069 (Bankr. Del. Dec. 19, 2024), that Yellow failed to provide

notice of mass layoffs in violation of the WARN Act. The court also found that the debtor's failure to provide notice of mass layoffs violated the Bankruptcy Code.