



Kreditsicherheiten in der Insolvenz (German Edition)

Stefan Smid

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Die Neuauflage behandelt eingehend die durch das ESUG und das Gesetz über Konzerninsolvenzverfahren veränderte Stellung gesicherter Gläubiger - Banken oder Lieferanten - in der Insolvenz des Darlehensnehmers oder Kunden. Kreditsicherheiten geben dem Gläubiger in der Insolvenz des Darlehensnehmers ein Absonderungsrecht auf Befriedigung aus dem Sicherungsgegenstand. Die Rechtsprechung, die diese Rechte ausgestaltet hat, wird eingehend kritisch nachvollzogen. Vertieft erörtert werden die Verwertungsbefugnisse des Insolvenzverwalters und die Pflichten des vorläufigen Verwalters. Besonderes Augenmerk wird der Anfechtung der Bestellung von Kreditsicherheiten gewidmet; die Stellung von Aussonderungsberechtigten, die Finanzierungsleistungen erbringen, wird im Zusammenhang mit Pool-Konzepten und Insolvenzplangestaltungen aufgegriffen. Das Buch spricht insbesondere Insolvenzverwalter, Bankjuristen und Gläubigerberater an.

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