

\$286 Million Judgment Reinstated Against Tim Blixseth

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The U.S. Court of Appeals for the Ninth Circuit reversed a decision by the bankruptcy court to reduce a fraud judgment against former Yellowstone Mountain Club owner Tim Blixseth to \$40 million, reinstating the original judgment of \$286 million.

In 2010, U.S. Bankruptcy Judge Ralph Kirscher issued a judgment against Blixseth saying that he fraudulently transferred a Credit Suisse loan to the club for personal use. That ruling – later upheld in U.S. District Court – said Credit Suisse shared responsibility under a legal doctrine known as "unclean hands" due to the manner in which it had marketed the loan to Blixseth.

The 9th Circuit panel disagreed and sent the case back to the lower court for a recalculation of damages.

Bailey Glasser partner Brian Glasser of the firm's Charleston, West Virginia, office, is serving as trustee for the Yellowstone Club creditors. Bailey Glasser partner Kevin Barrett, also of the firm's Charleston office, is representing the creditors.

Brian Glasser is quoted in the Great Falls Tribune and the Associated Press about this case.