

FORMAT FOR MEMORIAL

COVER PAGE

This part must include team code (Each team will be assigned an identification number. This has to appear in the uppermost right-hand corner of its front memorial cover), the title of the matter and the name of competition and year. The sample is attached at the end.

TABLE OF CONTENTS

TABLE OF ABBREVIATIONS

TABLE OF AUTHORITIES

STATEMENT OF FACTS

Briefly point out the relevant facts from the moot proposition. The page limit for this section is 2 pages.

ISSUES RAISED

Enumerate the identified issues on behalf of all the parties.

Sample:

- 1. Issues on behalf of Corporate Debtor** (enumerate the issues)
- 2. Issues on behalf of Operational Creditors** (enumerate the issues)
- 3. Issues on behalf of Resolution Professional/ IRP** (enumerate the issues)
- 4. Issues on behalf of Financial Creditors/Creditors Committee** (enumerate the issues)
- 5. Issues on behalf of Other Parties** (enumerate the issues)

SUMMARY OF ARGUMENTS

This part will include a summary of arguments from the side of all the parties. The format will be the same as given above under the heading 'Issues Raised'. This part must not exceed 2 Pages.

ARGUMENTS ADVANCED

The competition is non-adversarial in nature including more than the traditional two sides setup. Hence, whilst preparing the pleadings, basic, essential issues and points are required to be outlined with respect to the abovementioned five parties. This part must not exceed 30 pages including footnotes but does not include annexure.

Sample:

1. **ARGUMENTS TO BE PRESENTED ON BEHALF OF CORPORATE DEBTOR/ PROMOTERS OF CORPORATE DEBTORS** (Tentative issues: allegation against RP, hearing of debtor in Creditors Meeting)
2. **ARGUMENTS TO BE PRESENTED ON BEHALF OF OPERATIONAL CREDITORS**(Tentative issues: filing/objection to proceedings; raising issues in Creditors meeting)
3. **ARGUMENTS TO BE PRESENTED ON BEHALF OF RESOLUTION PROFESSIONAL/ IRP**(Tentative issues: conflict of issues, replacement issues; Information Memorandum/ Resolution Plan)
4. **ARGUMENTS TO BE PRESENTED ON BEHALF OF FINANCIAL CREDITORS/ CREDITORS COMMITTEE**(Tentative issues: Proposal to replace RP etc.)- All financial creditors and inter-financial creditor disputes can be mentioned here.
5. **ARGUMENTS TO BE PRESENTED ON BEHALF OF OTHER PARTIES**- The teams may include arguments on behalf of any other party that they deem fit in this part.

FINAL SUBMISSION/PRAYER

This part will include final submissions/prayer on behalf of all the parties. The format will be the same as given under the heading 'Issues Raised'. This part must not exceed 2 pages.

ANNEXURE/FORMS/REPORTS (if any)

OTHER CLARIFICATIONS

1. Teams are expected to analyse every issue from all sides in one memorial. The memorial should be a neutral document analysing potential arguments to be made by different parties due to their conflicting interests. The teams have discretion on how they want to internally structure their memorials.
2. To facilitate anonymous grading, names of the team members and the institution they represent must not appear on the memorial.
3. The teams may add other issues in addition to the 'key issues identified' if they think it is necessary.
4. Each participating side (corporate debtor, operational creditors and so on) may raise different issues.
5. The page limits for '*Summary of Arguments*', '*Arguments Advanced*'& '*Final Submission / Prayer*' mentioned is for all the parties combined and not each party individually.

TEAM CODE: XXX

INSOLVENCY AND BANKRUPTCY MOOT COURT COMPETITION

2017

IN THE MATTER OF

XXXXXX, CORPORATE DEBTOR

ON BEHALF OF

XXXXXX, FINANCIAL CREDITOR

WRITTEN SUBMISSIONS ON BEHALF OF THE CONCERNED PARTIES