



The Ponzi Book: A Legal Resource for Unraveling Ponzi Schemes

Kathy Bazoian Phelps, Steven Rhodes

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Covers virtually all legal issues relating to unwinding Ponzi schemes.

The Ponzi Book is relevant and timely, given the increased exposure of Ponzi schemes and the substantial litigation that has ensued in the quest to find assets and to make investors whole. Designed to be a comprehensive guide to the complex issues that arise in Ponzi schemes, *The Ponzi Book* includes a thorough legal analysis to support competing claims and defenses of affected parties, and contains a sophisticated discussion of the administrative practicalities that arise in Ponzi cases.

Both practitioners in the field and parties affected by a Ponzi scheme can benefit from the comprehensive coverage of issues in *The Ponzi Book*. Several chapters are dedicated to increasingly common fraudulent transfer claims (clawbacks) and preference claims arising in Ponzi schemes, along with the defenses that investors, brokers and others can assert to those claims. The book also includes a detailed discussion of a broad array of litigation claims that can be pursued against any type of defendant with culpability or liability due to its involvement in a Ponzi scheme. Separate chapters are dedicated to each of the complicated legal issues of deepening insolvency, standing, and *in pari delicto* as they arise in Ponzi litigation. Since Ponzi schemes usually involve related criminal proceedings, the book also covers Fifth Amendment and other privilege issues as well as a detailed analysis of what happens to competing claims for assets in parallel insolvency and criminal proceedings.

For those seeking to recover assets, several chapters discuss prejudgment remedies available to freeze assets, contempt proceedings, and service issues both internationally and domestically. The ultimate end game for claimants and those administering the unwinding of a Ponzi proceeding is the claims and allowance and distribution process, and this book offers a sophisticated review of differing approaches and methodologies available in the claims review process.

Finally, the highlights of recent changes in the tax laws relative to tax relief for Ponzi victims are covered to raise awareness of these issues for victims and their tax advisors.

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