

**16-492 PEM ENTITIES LLC V. LEVIN**

DECISION BELOW: 655 Fed.Appx. 971

LOWER COURT CASE NUMBER: 15-1669

**QUESTION PRESENTED:**

Whether bankruptcy courts should apply a federal rule of decision (as five circuits have held) or a state law rule of decision (as two circuits have held, expressly acknowledging a split of authority) when deciding to recharacterize a debt claim in bankruptcy as a capital contribution.

**DISMISSED AS IMPROVIDENTLY GRANTED.**

CERT. GRANTED 6/27/2017