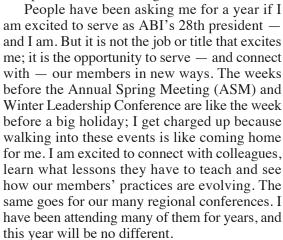
## **President's Column**

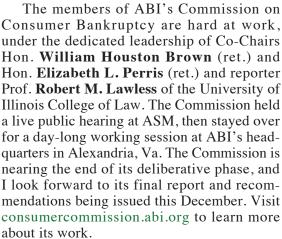
#### **What's Next?**

Wing" (or more recently, "The West Wing" (or more recently, "The West Wing Weekly Podcast") will recognize those two words as a signature phrase for the fictional U.S. President Josiah Bartlet (portrayed by Martin Sheen). While I cannot compare myself to any elected president (fictional or otherwise), I do like the forward momentum that those words convey. That is what we do as restructuring professionals: We are always moving forward. That's what we expect from ABI as a member organization as well, and that is what is on my plate for the next 12 months as ABI's new president: where we go next.



I look forward to seeing you at great ABI conferences in Vermont (Northeast Conference & Consumer Forum), Florida (Southeast Bankruptcy Workshop), Pennsylvania (Mid-Atlantic Bankruptcy Workshop), Ohio (Midwest Regional Bankruptcy Seminar), Nevada (Southwest Bankruptcy Conference), Missouri (38th Annual Midwestern Bankruptcy Institute), Illinois (Hon. Eugene R. Wedoff Seventh Circuit Consumer Bankruptcy Conference), Michigan (Hon. Steven W. Rhodes Consumer Bankruptcy Conference), Arizona (Winter Leadership Conference) and numerous others. Learn more about ABI's upcoming conferences at abi.org/events.

Speaking of meetings, we are just a couple of weeks past a fantastic ASM, where nearly 1,000 ABI members came together in Washington, D.C., for best-in-industry education and networking. At that meeting, on Saturday night during the Final Night Dinner, I spoke about some of the initiatives that ABI has undertaken to ensure that we are ahead of the curve in delivering the services and options that our members want — now and in the future. We have a lot of projects going on — some new, some continuing.



In other news, ABI has kicked off an exciting strategic-planning project. Working with an exceptionally regarded firm that specializes in member organizations, we have assembled a team of ABI staff and members to tackle this project, which will include assessments of our market, peer organizations and what our members need/want from ABI. The goal is to ensure that ABI continues to be the premier organization for busy restructuring professionals in the years to come.

Finally, I announced the formation of ABI's Veterans' Affairs Task Force. Led by Past ABI Presidents John W. Ames of Bingham Greenebaum Doll LLP and John D. **Penn** of Perkins Coie LLP with former twotime ABI Resident Scholar Jack F. Williams of Baker Tilly/Georgia State University, this group will examine areas in which the bankruptcy system treats veterans and service members differently from civilians and will make recommendations as to how the Bankruptcy Code, Bankruptcy Rules or systemic practice can be changed to ensure that veterans and service members are not subject to worse outcomes than those who did not serve. If you are interested in helping this group, please let one of the co-chairs or me know.

I'm honored to serve this organization and our nearly 11,000 members as ABI president for the coming 12 months. We have a lot going on, and it is a time of change in our industry, so it will be an interesting job to have this year. If you're interested in seeing how it all works, I am going to blog about it from time to time at blogs. forbes.com/tedgavin, so feel free to drop in and see what is happening. I will also write about it here throughout the year. We've got plenty to talk about because we have a lot of work to do and nothing but opportunities to serve our members ahead of us.

So — what's next? abi



**ABI President Edward T. "Ted" Gavin**Gavin/Solmonese LLC
Wilmington, Del.

Ted Gavin, CTP is a managing director of Gavin/Solmonese LLC and leads the firm's Corporate Recovery and Fiduciary Services Practice. He previously served as ABI Vice President-Development (2014-17), co-chair of ABI's Financial Advisors and Investment Banking Committee (2010-12) and Ethics and Professional Compensation Committee (2009-10), and the Mid-Atlantic Bankruptcv Bankruptcy Workshop (2010-13). Mr. Gavin is a Millenniumlevel supporter of ABI's Anthony H.N. Schnelling Endowment Fund.

## **Members in the News**

& Davis PA in Raleigh, N.C., announced that **Nicholas Brown** and **James B. Angell** have been named as 2018 *Legal Elite* winners for bankruptcy. Mr. Brown represents secured and unsecured creditors involved in chapters 7, 11, 12 and 13 cases, and has been an ABI member since 2008. Mr. Angell represents clients in general business matters and business transactions, and has been an ABI member since 1999.

Ankura announced the formation of Ankura Trust Co. LLC, a New Hampshire-chartered non-depository trust company that specializes in providing successor indenture trustee and loan agency services in distressed and default situations. The new company will be led by CEO **David Sawyer** with **James J. McGinley** as chief operating officer. Mr. Sawyer joined ABI in 2017, and Mr. McGinley has been an ABI member since 1999.

Alvarez & Marsal announced that Andrea Gonzalez and Richard Newman have been promoted to managing directors. With more than 16 years of experience, Ms. Gonzalez provides litigation consulting and financial advisory services to law firms, corporations, boards and stakeholders to help resolve high-stakes financial, regulatory and legal issues. She joined ABI in 2017 and is a member of the firm's Disputes and Investigations Practice in Chicago. Mr. Newman provides financial advisory services to creditors and specializes in representing official committees of unsecured creditors in bankruptcy proceedings. With more than 12 years of restructuring experience, he has advised unsecured creditors, senior lenders and healthy and distressed companies in leveraged recapitalizations, mergers and acquisitions and interim management situations. An ABI member since 2012, he also co-leads the firm's Unsecured Creditors' Committee Advisory Practice in Chicago.

Potestivo & Associates PC announced that **Brenda Likavec** has joined the firm's Chicago office as a supervising bankruptcy attorney. She has represented debtors in both chapter 7 and 13 proceedings, handling adversaries, resolving objections and multiple court calls. In addition, Ms. Likavec has been selected for the Bankruptcy Liaison Committee to be a member of the U.S. Bankruptcy Court for the Northern District for a two-year term. She has been an ABI member since 2016.

Kirkland & Ellis LLP announced that *Benchmark Litigation* has recognized the firm as "Illinois Firm of the Year" and "Bankruptcy Firm of the Year." ABI members with the firm's Illinois offices include **Joan Batchen**,

Ryan B. Bennett, William Guerrieri, Chad J. Husnick, Marc Kieselstein, Patrick J. Nash, Jr., Jamie R. Netznik, Brett V. Newman, Suj M. Pandya, Adam Paul, Gregory F. Pesce, Joseph U. Schorer, David R. Seligman, Steven N. Serajeddini, James H.M. Sprayregen and Bryan V. Uelk. New York-based ABI members with the firm include Nicole L. Greenblatt, Jonathan S. Henes, ABI Journal Coordinating Editor George Klidonas, Brian Schartz and ABI "40 Under 40" winner Joshua A. Sussberg.

Cullen and Dykman LLP announced that Michael H. Traison has joined the firm as a partner in its Bankruptcy and Creditors' Rights Department. He brings expertise relating to commercial litigation, and has represented debtors and creditors' committees in formal proceedings and out-of-court workouts. Based in New York, Mr. Traison also represents clients with interests throughout the world with a special focus on Israel, Poland, the Czech Republic and elsewhere in Eastern Europe, as well as in matters centered in the Midwest, including Chicago and Detroit. Prior to entering the practice of law, he was a public school teacher for 15 years in Detroit and in Essex County, Ontario. Mr. Traison has been an ABI member since 1990.

SSG Capital Advisors, LLC announced that Teresa C. Kohl received the Turnaround Management Association's Outstanding Individual Contribution Award. She was also honored by Living Beyond Breast Cancer for her tireless outreach efforts in helping others. Ms. Kohl has been an ABI member since 2008 and serves on ABI's Board of Directors. In addition, Neil Gupta earned the 8th Annual Emerging Leader Award from The M&A Advisor. He has been an ABI member since 2012. J. Scott Victor was also honored with the New York Institute of Credit's 44th Leadership in Credit Education Award. He has been an ABI member since 1997 and serves on the advisory board of ABI's New York City Bankruptcy Conference.

Polsinelli has expanded its Bankruptcy and Financial Restructuring Practice with the addition of four shareholders: **Todd A. Burgess**, **John R. Clemency**, **Janel M. Glynn** and **Lindsi M. Weber**. Mr. Burgess guides clients through bankruptcy litigation and helps business clients find solutions to resolve distressed financial situations, evaluating potential claims and causes of action when developing a cost-effective plan of action. He has been an ABI member since 1999. Mr. Clemency, who has more than 30 years of experience, is certified by the Arizona State Bar as a Certified Commercial Bankruptcy Specialist



Nicholas Brown



James B. Angell



Teresa C. Kohl



J. Scott Victor



Kristopher E. Aungst



Heather Giannino

and has been an ABI member since 1992. Ms. Glynn counsels clients to find innovative solutions to complex business challenges. She works with secured lenders and chapter 11 debtors, and manages out-of-court restructurings. Ms. Weber, a bankruptcy and commercial litigator, guides clients through the complexities of bankruptcy litigation. Ms. Glynn and Ms. Weber have been ABI members since 2008.

Wargo French, LLP announced the addition of partner **Kristopher E. Aungst** to the firm's Bankruptcy Practice in Miami. He has been an ABI member since 2003.

Foley & Lardner LLP announced that Matthew D. Lee and Brittany J. Nelson have been elected to partner. Based in Madison, Wis., Mr. Lee is a bankruptcy, restructuring and business litigation attorney who has represented chapter 11 debtors, secured and unsecured creditors, official creditors' committees, indenture trustees, and retained professionals in chapter 11 cases. He has been an ABI member since 2014. Based in Washington, D.C., Ms. Nelson has represented businesses, nonprofit organizations and other entities in bankruptcy litigation matters. She has been an ABI member since 2012. Both are members of the firm's Bankruptcy and Business Reorganizations and Business Litigation and Dispute Resolution Practices.

Heavner, Beyers & Mihlar, LLC announced that the National Association of Minority and Women Owned Law Firms has admitted the firm as a member. In addition, the firm is the largest Women's Business Enterprise National

Council certified law firm based in Illinois. ABI members with the firm include **Amanda Doyle**, *ABI Journal* Coordinating Editor **Heather Giannino**, **Faiq Mihlar** and **Zhiqi Wu**.

Archer & Greiner, PC announced that it has enhanced the firm's Bankruptcy, Restructuring and Insolvency Litigation Group by adding the New York-based boutique firm DiConza Traurig Kadish LLP to its bench. DiConza Traurig Kadish LLP specializes in corporate restructuring and bankruptcy litigation, business law, general commercial litigation, and asset sales and purchases in bankruptcy. **Gerard DiConza** will continue as managing partner of the New York office. He is joined by partners **Jeffrey M. Traurig** and **Allen G. Kadish**, Of Counsel **Richard K. Milin**, and associate **Lance A. Schildkraut**.

EisnerAmper LLP announced that **Robert D. Katz** has been named "Distressed M&A Dealmaker of the Year" by The M&A Advisor. Based in Philadelphia, he works with public and private companies, both in and out of bankruptcy, that are facing operational or financial challenges to create and execute the strategy needed to restructure or improve operating performance. Mr. Katz acts as interim president, CFO, COO, CRO or treasurer. He has been an ABI member since 1995.

The Mid-South Commercial Law Institute announced that **James E. Bailey, III** (Butler Snow LLP; Memphis, Tenn.), **Thomas H. Forrester** (Gullett, Sanford, Robinson & Martin PLLC; Nashville, Tenn.) and **Thomas Humphries** (Sirote & Permutt, PC;

## **M&A Advisor Lifetime Achievement Awards Presented**





Former ABI Executive Committee member Jamie Sprayregen (Kirkland & Ellis LLP; Chicago) (far left) and ABI Executive Director Sam Gerdano (second from right) were presented with Lifetime Achievement Awards and elected to the Hall of Fame of The M&A Advisor during a ceremony in Palm Beach, Fla., in late February. Also pictured with Mr. Gerdano are Jack Butler (Birch Lake Holdings, LP; Chicago) along with David Fergusson and Roger Aguinaldo (M&A Advisors; New York).

Birmingham, Ala.) have been elected to its board and will serve five-year terms. In addition, **Jeffrey W. Maddux** (Chambliss Bahner & Stophel, PC; Chattanooga, Tenn.) has been elected president, and **Donald (Don) M. Wright** (Sirote & Permutt, PC; Birmingham, Ala.) will serve as immediate past president.

McDonald Hopkins LLC in Cleveland announced that **Sean D. Malloy** and **Shawn M. Riley** have been named in *Ohio Super Lawyers*, and **Michael J. Kaczka** has been recognized as an "Ohio Rising Star." Mr. Malloy is chair of the firm's Business Restructuring Services Department and has been an ABI member since 2003. Mr. Riley is the firm's president and has been an ABI member since 1997. Mr. Kaczka is a member of the firm's Business Restructuring Services Department and has been an ABI member since 2008.

The M&A Advisor announced that it has selected FocalPoint and managing director Michael Fixler as the winner of the "Chapter 11 Reorganization of the Year (over \$25-100 million)" in its 12th Annual Turnaround Awards. Mr. Fixler has spent his nearly 20-year career advising companies and their stakeholders in transactions related to M&A, capital-raising and special situations (including bankruptcy cases). He has been an ABI member since 2002.

Bush Ross, PA announced that **Kathleen L. DiSanto** has been elected as a shareholder. Her practice includes matters related to bankruptcy, corporate restructuring, creditors' rights, insolvency proceedings, and general commercial transactions. She is Board Certified in Business Bankruptcy Law. An ABI member since 2011, Ms. DiSanto serves as a coordinating editor for the *ABI Journal* and as special projects leader of ABI's Unsecured Trade Creditors Committee.

The M&A Advisor announced that **Patrick M.O'Keefe** has been selected as a recipient of its 2018 Leadership Award. The founder and CEO of O'Keefe, he has been a financial consultant and turnaround advisor to underperforming businesses for more than 30 years in various industries. Mr. O'Keefe is also an advisor to financial institutions in complex workouts and asset-recovery strategies. He has been an ABI member since 1999 and is based in Bloomfield Hills, Mich.

Bryan Cave LLP and Berwin Leighton Paisner (BLP) LLP announced that they have merged, becoming Bryan Cave Leighton Paisner LLP. The merger brings together two organizations recognized for their approaches to client service into one global, fully integrated law firm. ABI members with Bryan Cave LLP include Keith M. Aurzada, Leslie Allen Bayles, Julie M. Birk, Michael P. Cooley, Jason J. DeJonker, Brian M. Devling, Mark I. Duedall, Leah C. Fiorenza McNeill, Laurence M. Frazen, Trinitee Gale Green, Elizabeth

A. Haden, Kyle S. Hirsch, Sarah Holdmeyer, Laura Uberti Hughes, Jacob Johnson, Cullen K. Kuhn, James P. Maloney, William J. Maloney, Michelle M. Masoner, Robert J. Miller, Justin A. Morgan, E. Penn Nicholson, Eric S. Prezant, Craig K. Schuenemann, Bryce Suzuki, David Unseth, Brian C. Walsh, Sharon Z. Weiss and Stephanie Wickouski. ABI members with BLP include Benjamin Jones and Marc Trottier.

The Deal has published its 2017 bankruptcy and out-of-court restructuring league tables and again ranked Orrick, Herrington & Sutcliffe LLP as a top bankruptcy and restructuring law firm. The firm's Restructuring Practice has consistently earned inclusion in the top 10 bankruptcy legal advisor rankings in each quarter since 2015. ABI members with the firm include Raniero D'Aversa, Debra Lessin Felder, Jonathan P. Guy, Frederick D. Holden, Jr., Evan C. Hollander, Lorraine S. McGowen and Thomas C. Mitchell.

Carl Marks Advisors announced that Managing Director Steven F. Agran has been appointed as president of the New Jersey chapter of the Turnaround Management Association. He will also serve as a member of the Chapter President's Council (CPC), the principal liaison between the chapters and TMA Global. Mr. Agran brings more than 20 years of experience providing turnaround and interim-management services to financially distressed companies, including financial and operational advisory services to company ownership, boards of directors, private-equity groups, lenders and investors. An ABI member since 2011, he also serves in responsible roles for various mid-sized companies, including as CRO, CEO, COO, CFO and advisor.

**Steven T. Holmes** has joined Cavazos Hendricks Poirot, PC as a shareholder in the firm's Dallas office. He has been an ABI member since 2001. **abi** 



Shawn M. Riley



Kathleen L. DiSanto



Patrick M. O'Keefe





Steven F. Agran

## What's Happening at ABI

### **ABI Embarks on Strategic Plan Process**

BI is excited to announce that it has engaged McKinley Advisors to facilitate a market survey and strategic plan. McKinley will work closely with volunteer leaders and ABI staff to develop a timeline and workflow process for the project, which will include a member survey (look for it soon in your inboxes), interviews with various insolvency practitioners and an analysis of the wants and needs of the restructuring industry. ABI leadership will then utilize this information to develop and implement a new strategic plan for the organization. ABI expects a final product by the end of the year.

# Finally, an Economist You'll Understand (Coming to ABI's Luncheon at NCBJ)



Dan White

Dan White is a senior economist with Moody's Analytics in West Chester, Pa., where he coordinates consulting and regional economic research. He will be the keynote speaker during the ABI luncheon at the 92nd annual meeting of the National Conference of Bankruptcy Judges this year in San Antonio. Mr. White's broad research interests include macroeconomics, energy economics,

regional economic development and public policy. His recent research has focused on public policy responses to the Great Recession and ways to better prepare federal and subnational fiscal conditions for changes in the business cycle. He also has the pleasure of working directly with a number of governments in a consulting role.

Mr. White regularly presents to clients, conferences, and policymakers of all levels. He has been featured in a number of print, radio and televised media outlets ranging from the *Wall Street Journal* to National Public Radio.

Before joining Moody's Analytics, Mr. White worked as a financial economist for the New Mexico State

Legislative Finance Committee in Santa Fe, where he forecasted revenues and analyzed a wide range of policy issues concentrated around economic development, public investment and debt management. Mr. White holds an M.A. in economics and undergraduate degrees in finance and international business from New Mexico State University.

ABI's Luncheon at NCBJ will take place on Oct. 30 at the San Antonio Marriott Rivercenter in San Antonio. For more information or to register, visit abi.org/events or ncbjmeeting.org/2018.

# **Winners Announced in ABI's Annual Writing Competition**

The top prize, including a cash award of \$2,000, goes to **Sean Kelly** from St. John's University School of Law for his article, "SEC v. Creditors: Why SEC Civil Enforcement Practice Demonstrates the Need for a Reprioritization of Securities Fraud Claims in Bankruptcy." The article will be published in the June 2018 issue of the *ABI Journal*.



Sean Kelly (r) received his first-place prize from Prof. G. Ray Warner (St. John's University School of Law/Greenberg Traurig, LLP; Jamaica, N.Y.) during ABI's Annual Spring Meeting in April.

## **Awards Presented at ABI's Annual Spring Meeting**



ABI Editor-at-Large Bill Rochelle (r) received the Annual Service Award from ABI President Hon. Eugene R. Wedoff (ret.).



Adrian Nasr (San Francisco) (r) received the Judge Wes Steen Prize, which was presented by ABI Vice President-Publications Alane A. Becket (Becket & Lee, LLP; Malvern, Pa.) (I) and Prof. G. Ray Warner (St. John's University School of Law/Greenberg Traurig, LLP; Jamaica, N.Y.).



Dean Katsionis (I) received an award for his contributions as editor-in-chief of the ABI Law Review, which was presented by Prof. G. Ray Warner (St. John's University School of Law/Greenberg Traurig, LLP; Jamaica, N.Y.).



Sean is a second-year law student student, also

serving as managing editor of the *ABI Law Review*. He plans to be a summer associate at Clifford Chance US LLP in New York this summer. ABI thanks Blank Rome LLP for sponsoring the top prize.

Second place went to **T.J. Li** of Cornell Law School, for the article, "From *Sunbeam* to *In re Tempnology*: Solve the Trademark Puzzle with a Burden-Shifting Framework." The prize includes \$1,250 and is sponsored by Wolcott Rivers Gates. Third prize of \$750 went to **Nicholas A. Binder** from Michigan State University College of Law for an article entitled "*Spanish Peaks*" Reinvigoration of the *Precision Industries* Debate: Rejection in the Context of a § 363 Sale Free and Clear of Commercial Leasehold." ABI thanks Jenner & Block LLP for the cash award. Thanks also to all who submitted papers by the March 1 deadline in the competition and those who served as judges.

### "40 Under 40" Nominations Due June 30

Nominations for the second class of ABI's "40 Under 40" program are due by June 30. The program recognizes insolvency professionals who are committed to the highest standards of achievement at work and in their



communities, and nominations for the 2018 class are welcome from all areas of the insolvency profession. You may nominate a colleague or nominate yourself.

This year's Steering Committee is chaired by **Kathryn A. Coleman** (Hughes Hubbard & Reed LLP; New York), and includes Hon. **Daniel P. Collins** (U.S. Bankruptcy Court (D. Ariz.); Phoenix), **Mark D. Collins** (Richards,

Layton & Finger, PA; Wilmington, Del.), Rachel L. Foley (Foley Law, PC; Independence, Mo.), Soneet R. Kapila (KapilaMukamal, LLP; Fort Lauderdale, Fla.), Douglas L. Lutz (Frost Brown Todd LLC; Cincinnati), Jennifer M. McLemore (Christian & Barton, LLP; Richmond, Va.), Jennifer M. Meyerowitz (GCG; Atlanta), Kimberly A. Posin (Latham & Watkins LLP; Los Angeles) and John F. Young (Markus Williams Young & Zimmermann, LLC; Denver).

Those selected will be presented at a ceremony on Dec. 7 during ABI's Winter Leadership Conference in Scottsdale Ariz. Visit abi40under40.org for more information or to fill out an application.

### **March Episode of "Eye on Bankruptcy"**

Hon. S. Martin Teel, Jr. (U.S. Bankruptcy Court (D. D.C.); Washington, D.C.) and Christopher A. Ward (Polsinelli; Wilmington, Del.) were the guests for the March edition (Season 4, Episode 3) of "Eye on



Hon. S. Martin Teel, Jr. (I) and Christopher A. Ward visited the ABI studios in northern Virginia to record the March episode of "Eye on Bankruptcy."

## **Committee Awards Presented at ABI's Annual Spring Meeting**



Donald L. Swanson (Koley Jessen; Omaha, Neb.) (I) received the "Committee Leader of the Year" award for his work as communications manager of ABI's Mediation Committee. ABI Vice President-Membership Hon. Kevin J. Carey (U.S. Bankruptcy Court (D. Del.); Wilmington) presented the award.



ABI Vice President-Membership Hon. Kevin J. Carey (U.S. Bankruptcy Court (D. Del.); Wilmington) (c) presented the "Committee of the Year" award to Eric E. Walker (Perkins Coie LLP; Chicago) (l) and Daniel Waxman (Wyatt, Tarrant & Combs, LLP; Lexington, Ky.), who co-chair ABI's Real Estate Committee.

Bankruptcy." Along with show host Prof. **Juliet M. Moringiello** (Widener Law Commonwealth; Harrisburg, Pa.), they discussed the new Supreme Court cases (*Merit Management Group v. FTI Consulting* on the safe harbor and *U.S. Bank v. The Village at Lakeridge* on the standard of review for insider status), among other leading opinions of the month. All of the shows are available for streaming at eyeonbankruptcy.com.

## New ABI Podcast Available: Experts Preview Panel on Navigating Liability Claims in Cross-Border Cases

Man-made disasters and mass tort product-liability claims can frequently be a prequel to a bankruptcy filing. ABI Executive Director **Sam Gerdano** spoke with **Laura Davis Jones** (Pachulski Stang Ziehl & Jones LLP; Wilmington, Del.) and Past ABI President **Robert J. Keach** (Bernstein Shur; Portland, Maine), who were involved in two recent major cases (the Takata airbag class action and the Montreal, Maine and Atlantic Railway crash, respectively), about their recent "Cross-Border

Collisions" panel at the INSOL International Annual Regional Conference in New York on April 29.

Visit abi.org/newsroom/podcasts or subscribe via Soundcloud at soundcloud.com/abi-105/abipod-215 to listen to this ABI Podcast.

# ABILive: What Happens in Mediation Stays in Mediation — or Does It?

Join ABI's Mediation Committee for a free ABILive webinar at 2 p.m. ET on May 15. **Judith Elkin** (Judith Elkin PLLC; New Rochelle, N.Y.), **Mark E. Felger** (Cozen O'Connor; Wilmington, Del.) and Hon. **Louis H. Kornreich** (Bernstein Shur; Bangor, Maine) will explore the issues of confidentiality and privilege in bankruptcy mediations. Included in the discussion will be the current landscape for what might be the most critical component to the success of a mediation, and the panelists will delve into what parties and courts are and/or should be doing to protect and preserve parties' reasonable expectations regarding the confidentiality of all that is said and exchanged during the course of a bankruptcy mediation.

## **Publication Awards Presented at ABI's Annual Spring Meeting**



David Cox (Cox Law Group; Lynchburg, Va.) (I) received a publication award from ABI Director of Communications Jim Carman for his work on Consumer Bankruptcy: Fundamentals of Chapter 7 and Chapter 13 of the U.S. Bankruptcy Code, Fourth Edition.



Prof. Juliet M. Moringiello (Widener Law Commonwealth; Harrisburg, Pa.) (r) received a publication award for her work on Bankruptcy Overview: Issues, Law and Policy, 7th Edition.



David R. Kuney (Whiteford Taylor Preston LLP; Washington, D.C.) (r) received a publication award for his work on Retail and Office Bankruptcy: Landlord/Tenant Rights.



Christopher A. Ward (Polsinelli; Wilmington, Del.) (I) and Ryan G. Foley (Shook, Hardy & Bacon LLP; Philadelphia) (r) received publication awards for their work on A Business Creditor's Guide to Distressed Vendors, Debt Collection and Bankruptcy.



Susan H. Seabury (Baker Tilly Virchow Krause, LLP; Atlanta) (I) and Jack F. Williams (Baker Tilly/Georgia State University; Atlanta) (r) received publication awards for their work on Admitting Expert Valuation Evidence Before the U.S. Bankruptcy Courts.



Jeremy R. Fischer (Drummond Woodsum; Portland, Maine), Eric D. Madden (Reid Collins & Tsai LLP; Dallas) and Isley Markman Gostin (WilmerHale; Washington, D.C.) (I-r) received publication awards for their work on ABI's Quick Evidence Handbook, Second Edition.

This webinar promises to be an interesting discussion for anyone representing a party or otherwise participating in a bankruptcy mediation. Learn more and reserve your spot at abi.org/events!

Did you miss ABILive's free April webinars, "Selling the Sale: Key Provisions in § 363 Sale Orders," which was presented by ABI's Asset Sales Committee, and "ASARCO Applied: Impact of Baker Botts v. ASARCO in Professional Fee Litigation," which was hosted by ABI's Young and New Members Committee? If so, you can find the recording of these and all ABILive webinars at cle.abi.org.

### **Chinese Delegation Visits ABI**

The China Institute Reform and Development, in coordination with the U.S. State Department's Bureau of Educational and Cultural Affairs, visited ABI's northern Virginia office in March, as part of an educational tour on U.S. bankruptcy law. The group of senior officials in the Ministry of Finance, Banking Regulatory Commission, China Securities Commission and Department of Industrial Planning, as well as the judiciary and private law practice, met with ABI Executive Director **Sam Gerdano** and Research Consultant **Ed Flynn** about filing trends and policy issues in U.S. law. The delegation later visited bankruptcy courts in Wilmington, Del., and Manhattan.



China Institute Reform and Development visited ABI's offices in northern Virginia in March and participated in presentations on U.S. bankruptcy law by ABI Executive Director Sam Gerdano and ABI Consultant Ed Flynn.



# **Professional Development Program Returns to New York**



Christine Okike

ABI's educational program by and for mid-level professionals and young partners will be held on Nov. 6 at the offices of Skadden, Arps, Slate, Meagher & Flom LLP in New York. The day-long program is being planned by a group from the inaugural class of ABI's "40 Under 40" program, chaired by **Christine Okike** (Skadden, Arps, Slate, Meagher & Flom LLP; New

York), with **Shanti M. Katona** (Polsinelli; Wilmington, Del.), Jennifer B. Kimble (Prime Clerk; New York), **Brian Lohan** (Arnold & Porter Kaye Scholer LLP; Chicago), Ryan A. Maupin (Grant Thornton LLP; New York), Kathryn B. McGlynn (Zolfo Cooper; New York), Oscar N. Pinkas (Dentons US LLP; New York), Melissa M. Root (Jenner & Block LLP; Chicago), Joshua A. Sussberg (Kirkland & Ellis LLP; New York), **Anupama Yerramalli** (Kramer Levin Naftalis & Frankel LLP; New York) and Blanche D. Zelmanovich (New York). Topics include the ins and outs of plan solicitation, valuation issues in bankruptcy, how to prepare and testify as an expert, retailer cases and a judicial panel. The program also includes a keynote on the next restructuring wave and a panel on career growth and business development.

# **ABI Journal** Is Looking for Associate and Coordinating Editors to Serve in 2019

Do you look forward to reading the *ABI Journal* every month and want to get more involved? ABI welcomes members to write for the *Journal*, but you can also take your involvement a step further: The *ABI Journal* Editorial Board is seeking qualified candidates to serve in 2019 as coordinating editors and associate editors.

Coordinating editors are responsible for finding authors to cover assigned slots throughout the year for specified *Journal* columns. There can be up to two coordinating editors for most columns, but some columns only require one editor. The *ABI Journal* has more than 30 columns that run throughout the year. In order to ensure a broad range of topics and submissions, coordinating editors are asked not to solicit or select directly from their firms for all or most of the slots.

Associate editors review completed articles that are assigned to them prior to their publication. Ideal candidates need to be cognizant of thoroughly checking citations, be conscious of an article's tone, and note whether any additional information should be included (such as a court decision that might have come down since the article was submitted). Associate editors review anywhere from 1-3 articles per issue, and the review period is typically two business days. Associate editors cannot contact authors directly with questions or comments.

For more information about the *Journal*'s guidelines (including column descriptions), check out the

Submission Guidelines page at abi.org/abi-journal. If you are interested in one of these positions, please send your resume, a brief letter of interest and, for coordinating editor applicants, a list of preferred columns to ABI Managing Editor Elizabeth A. Stoltz at estoltz@ abiworld.org by June 29. The executive-level editors will make their selections based on the positions that are available. ABI membership is required to serve on the editorial board.

### **New Global Insolvency Site Coming**

ABI is developing a new Global Insolvency website that will include content from partner organizations like Insol Europe, Insol India and others. The new site will be the face of ABI's International membership and will be designed with help from ABI Vice President-International Affairs Annerose Tashiro (Schultze & Braun; Achern, Germany) and ABI's International Board Committee, as well as the ABI International Member Committee.

The new site will still feature ABI's Daily Global Headlines, but will also include more global content from volunteers across the world. In addition, international insolvency practitioners will have the opportunity to subscribe to the new website, which would also allow them access to ABI's online products and abi.org. The new site should be launching this summer.



#### **CARE Corner**

#### **CARE Goes to Washington (for Financial Literacy)**

For National Financial Literacy Month, Credit Abuse Resistance Education (CARE) attended a number of events hosted by the National Jump\$tart Coalition for Personal Financial Literacy. On April 10, CARE staff attended Jump\$tart's Annual Awards Dinner, where leaders in financial education were honored for their hard work and commitment to helping young people manage money.



CARE Executive Director Anna Flores (D-Ohio) during Hill Day in April.

On April 12, CARE staff spent the afternoon on Capitol Hill talking about its mission and work with congressional leaders, staff and other financial education organizations for Financial Literacy Day on the Hill. Hill Day, as its otherwise known, was hosted by U.S. Sens. Jack Reed (D-R.I.) and Tim Scott (R-S.C.), who co-chair the Senate (r) met Congresswoman Joyce Beatty Financial Literacy Caucus. CARE Executive Director

**Anna Flores** had the opportunity to meet House Financial Literacy Caucus Co-Chair Joyce Beatty (D-Ohio).

#### **Judge Diehl Honored with Lifetime Achievement Award**

CARE held a Financial Literacy Celebration reception at ABI's Annual Spring Meeting in April, where Hon. Mary Grace Diehl (N.D. Ga.) was presented with a CARE Lifetime Achievement Award. CARE's Friday afternoon reception was sponsored by American Express, Engelman Berger P.C., Frost Brown Todd LLC, Lewis Roca Rothgerber Christie and CARE's founder, Hon. John C. Ninfo II (ret.). CARE Board Chair Lynn Lewis Tavenner (Tavenner & Beran, PLC; Richmond, Va.) also



Hon. Mary Grace Diehl (r) received CARE's Lifetime Achievement Award from Board Chair Lynn Lewis Tavenner during a special reception at ABI's Annual Spring Meeting in mid-April.

spoke about the importance of financial literacy and highlighted the work of CARE volunteers throughout the nation in 2017. Thank you to everyone who attended!

#### **CARE Holds Semi-Annual Board of Directors Meeting During ABI's Annual Spring Meeting**



In conjunction with ABI's Annual Spring Meeting in Washington, D.C., CARE held its semi-annual board of directors' meeting at the Marriott Marquis in April. During the meeting, CARE's board spoke about the work of CARE's volunteer chapters, reviewed

CARE's strategic plan and set out goals for future expansion and growth.

#### **CARE Hits the Road in 2018**

This summer and fall, CARE plans to attend the following ABI conferences: New York City Bankruptcy Conference (May 24; New York), Central States Bankruptcy Workshop (June 7-9; Lake Geneva, Wis.), Northeast Conference & Consumer Forum (July 12-14; Stowe, Vt.) and Southeast Bankruptcy Workshop (July 26-29; Amelia Island, Fla.). If you would like to attend these ABI conferences, please visit abi.org/events.

CARE also plans to attend the following non-ABI bankruptcy and insolvency conferences this year: National Association of Chapter 13 Trustees Annual Seminar (June 27-30; Miami), National Association of Bankruptcy Trustees Annual Conference (Aug. 16-18; Amelia Island, Fla.), Turnaround Management Association Annual Conference (Sept. 26-28; Colorado Springs, Colo.) and the National Conference of Bankruptcy Judges Annual Conference (Oct. 28-31; San Antonio).

#### **Show Your Support by Giving Monthly to CARE**

Giving monthly is an extremely easy and crucial way to support CARE. With your recurring gift, you will be able to meaningfully support the organization without feeling the pinch of a large gift at once. A steady stream of income allows the CARE staff to focus on its mission.

Visit care4yourfuture.org/care-support and select the "monthly" button in the donation portal. For more information, email CARE Development Coordinator Ian Redman at iredman@care4yourfuture.org.

#### **New Staff Joins ABI**

Erin Finnegan joined ABI's staff in April as a meeting planner in the Meetings and Events Department. Originally hailing from Pittsburgh, she came to ABI from Pragmatic Marketing, LLC in Scottsdale, Ariz., where she was a meeting and event planner. Erin received her BSBA in hospitality and tourism management from Robert Morris University. She **Erin Finnegan** is a certified meeting professional and a



member of Meeting Professional International. Erin reports to ABI Senior Meeting Planner Jennifer A. Guirguis.

### **ABI Endowment Fund Update**

#### **Mariano Rivera Foundation Partnered with ABI Endowment for Puerto Rico Benefit in April**



Former New York Yankee Mariano Rivera and his foundation teamed up with the ABI Endowment Fund to benefit Puerto Rico.

Former New York Yankee legend Mariano Rivera and his family foundation joined with ABI to benefit Puerto Rico relief on April 4. The event was held at the famed New York Athletic Club on Central Park South. The Rivera Foundation

does great work for youth in Puerto Rico. Visit themarianoriverafoundation.org to learn more about its mission. Photos from the event are posted at flickr.abi.org.

Thanks go to the sponsors for their support. Premium Sponsors: Proskauer and Rust Omni. Gold Sponsors: Akin Gump Strauss Hauer & Feld LLP; Eisner Amper LLP; FTI Consulting, Inc.; Greenberg Traurig, LLP; McGuireWoods LLP; Richards, Layton & Finger, PA.; Skadden, Arps, Slate, Meagher & Flom LLP; and VR Capital Group. Silver Sponsors: Baker Tilly Virchow Krause, LLP;



Mariano Rivera (above center) mingled with Endowment supporters, including ABI Chairman Jeffrey N. Pomerantz (Pachulski Stang Ziehl & Jones LLP; Los Angeles) (above left) and ABI Immediate Past President Hon. Eugene R. Wedoff (above right), as well as Sean Gumbs (FTI Consulting, Inc.; New York) (below right).



CourtSolutions LLC; Getzler Henrich & Associates LLC; Phoenix Management Services; Polsinelli; and Reorg Research Inc. To sponsor an ABI event, please contact **Sharisa Sloan** at ssloan@abi.org.

#### **Winners of the Annual Spring Meeting Endowment Auction**

Thanks go to the following auction participants at the Annual Spring Meeting: Dawn M. Cica (Mushkin-Cica-Coppedge; Las Vegas), J. Ford Elsaesser (Elsaesser Anderson Chtd.; Sandpoint, Idaho), Samuel Gerdano (ABI; Alexandria, Va.), Ted Gavin (Gavin/Solmonese LLC; Wilmington, Del.), Hon. Mary Jo Heston (U.S. Bankruptcy Court (W.D. Wash.); Tacoma), Dillon E. Jackson (Foster Pepper PLLC; Seattle), Jeffrey N. Pomerantz (Pachulski Stang Ziehl & Jones LLP; Los Angeles), Rory D. Whelehan (Womble Bond Dickinson (US) LLP; Greenville, S.C.), Deborah D. Williamson (Dykema Cox Smith; San Antonio), Donald A. Workman (BakerHostetler; Washington, D.C.) and Oliver Zurbel (BMC Group; Miami Beach, Fla.).

If you are attending an ABI conference, be sure to look out for auction items and place your bid! You can also donate items to be auctioned off or, for a list of desired auction items, visit abi.org/endowment/ways-to-give.

#### **New Endowment Donor Recognized**

Leadership Club: James A. Peko Grant Thornton LLP

#### **Levels of Support for the ABI Endowment**

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\$1,000-\$1,999
\$100-\$999

Donate online at abi.org/endowment. Donations are tax-deductible and can be paid over five years.

Call (703) 739-0800 for more information. abi

## **Endowment Awards Presented at ABI's Annual Spring Meeting**



Donald A. Workman (BakerHostetler; Washington, D.C.) (I) and Soneet R. Kapila (KapilaMukamal, LLP; Fort Lauderdale, Fla.) (r) received Century Council Awards from ABI Vice President-Development Robert P. Reynolds (Reynolds, Reynolds & Little, LLC; Tuscaloosa, Ala).



Richard P. Carmody (Adams and Reese LLP; Birmingham, Ala.) (I) received a Visionary Member award.



Steven M. Berman (Shumaker, Loop & Kendrick, LLP; Tampa, Fla.) (I) received a Lifetime Member award.



Paul R. Hage (Jaffe Raitt Heuer & Weiss; Southfield, Mich.) (I) received a Benefactor award.

## **New Members**

**January (partial list)** 

Christine Kvaal CoBank, ACB Greenwood Village, Colo.

Lee Leslie Ten-X Irvine, Calif.

TJ Li Cornell Law Ithaca, N.Y.

Los Anaeles

Zhao Liu The Rosner Law Group LLC

Wilmington, Del.

Wendy A. Loo Los Angeles City Attorney's Office

Michael S. Mahoney Michael S. Mahoney, PC Lansing, Mich.

Kenneth G. M. Mather Gunster, Yoakley & Stewart, PA

Tampa, Fla.

Andre McKenney
City of Hallandale Beach
Hallandale Beach. Fla.

Lucketta McMahon Weinstein & Riley, PS Casper, Wyo.

Jeff T. Mispagel Latham & Watkins LLP

New York

Rep. Jerry Nadler (D-N.Y.) U.S. House Judiciary Committee Washington, D.C.

Deborah Newman Akin Gump Strauss Hauer & Feld LLP New York

Matthew A. Niznik Sparks Willson Borges, et al. Colorado Springs, Colo.

Lane Palmateer Law Office of Lane Palmateer

Wichita, Kan. Andrew Perry

U.S. Bankruptcy Court (D. Colo.) Denver

Sabari Pillai U.S. Bankruptcy Court (D. Utah) Salt Lake City

Kelly Porcelli Kramer Levin Naftalis & Frankel, LLP

Andrew P. Propps Sidley Austin LLP New York

New York

George Putnam New Generation Advisors LLC Manchester, Mass. Devan C. Rittler Shook, Hardy & Bacon LLP Kansas City, Mo.

John Rutherford U.S. House Judiciary Committee Washington, D.C.

Tara Gaschler Salinas Salinas Law Group LLC

Denver

Nicholas Santarelli Janeway Law Firm, PC Englewood, Colo.

Stacey J. Schacter Vion Receivable Investments Atlanta

Charles Scheurich

Onsager | Fletcher | Johnson LLC Denver

John Schoene John S. Schoene, PA Maitland, Fla.

David A. Sellars McGriff, Seibels & Williams Roswell, Ga.

Alexandra Shipley McGuireWoods LLP

Gary W. Short Pittsburgh

Chicago

Caroline Newman Small Davis & Santos, PC San Antonio

Curtis Smolar Bay Capital Legal PC Palo Alto, Calif.

Howard S. Steel, IV Brown Rudnick LLP New York

John Stout

Resource Land Holdings Denver

Morgan Suckow Guggenheim Securities New York

Bryce Suzuki Bryan Cave LLP Phoenix

Santa Ana, Calif.

Ashley Teesdale U.S. Bankruptcy Court (C.D. Cal.)

David Tepper Tiger Valuation Services Westlake Village, Calif.

Crystal Thornton-Illar Leech Tishman Fuscaldo & Lampl, LLC Pittsburgh

Robert Trodella Trodella & Lapping LLP Mill Valley, Calif. Hanyang Univ Max Cargo Inc.-TYM Compton, Calif.

Michelle L. Vieira Vieira Law Office Murrells Inlet, S.C.

Diane C. Weil

Danning, Gill, Diamond & Kollitz, LLP Los Angeles

Charlotte Williams

Western Michigan Univ. Law School Winter Springs, Fla.

Kristin Wilson

Law Office of Kristin Wilson Charleston. III.

Leslie Wybiral

U.S. Bankruptcy Court (M.D. Fla.) Tampa, Fla.

Beth Ann R. Young Levene, Neale, Bender, Yoo & Brill, LLP Los Angeles

Malka Zeefe Dentons US LLP Alexandria, Va.

Matthew M. Zofchak U.S. Bankruptcy Court (S.D. Ohio) Columbus, Ohio

Roye Zur Landau Gottfried & Berger LLP Los Angeles

**February (partial list)** 

Debra L. Allen Spilman Thomas & Battle, PLLC Charles Town, W.Va.

Jennifer Anderson Wilmington Trust Wilmington, Del.

Theresa M. Anzivino Wisconsin Department of Justice Madison, Wis.

Yelena Archiyan

U.S. Bankruptcy Court (N.D. Texas) Fort Worth, Texas

Franklin Barbosa Trenk, DiPasquale, Della Fera, et al.

West Orange, N.J.

Dr. Douglas K. Barney Indiana University Southeast New Albany, Ind.

James Behrens Milbank, Tweed, Hadley & McCloy LLP Los Angeles

Sarah Duque Bruce Office of the Bankruptcy Administrator Greensboro, N.C.

Jeffrey Buckley Cadwalader, Wickersham & Taft New York James Calandra Capstone Headwaters Boston

William Carter

Law Office of William E. Carter, LLC Meriden. Conn.

Chase Collum Reorg Research New York

Kari Balog Coniglio

Vorys, Sater, Seymour and Pease LLP Cleveland

Ryan F. Coy Howell, Mich.

Annie Deng Karlin Asset Management, Inc.

Los Angeles

Abhay Deshpande Centerstone Investors LLC New York

Christopher M. Desiderio Nixon Peabody LLP New York

Kathy Dockery Chapter 13 Trustee Los Angeles

Rama Douglas Kramer Levin Naftalis & Frankel LLP West New York, N.J.

Matthew Dundon Dundon Advisers LLC Scarsdale, N.Y.

William L. Fava Mitchell Cunningham & Fava, PC Southaven, Miss.

Jeffrey Finger Jefferies LLC New York

Alana Friedberg

U.S. Bankruptcy Court (E.D.N.Y.) Central Islip, N.Y.

Jonathan Friedman Chicago-Kent College of Law Chicago

Luke A. Furler KordaMentha Singapore

Clifford P. Gallant, Jr. Beliveau, Fradette & Gallant, PA Manchester, N.H.

Vito Genna U.S. Bankruptcy Court (S.D.N.Y.) New York

Darby Green Bloomberg BNA New York

Lara A. Greenberg Shipman & Goodwin LLP Hartford, Conn. abi

## Scenes from the 36th Annual Spring Meeting



The Opening Reception took over the grand mezzanine fover of the Marriott Marquis.



Jenny Kasen of Kasen & Kasen, PC, Hon. Raymond T. Lyons of Fox Rothschild LLP and Joao F. Magalhaes of Trenk, DiPasquale, Della Fera & Sodono, PC (I-r) mingle during the Opening Reception.



Hon. Bess M. Parrish Creswell (M.D. Ala.) (I) and R. Scott Williams of Rumberger Kirk & Caldwell participated in a panel on relieffrom-stay motions.



Richard B. Levin of Jenner & Block addresses the panel on the resolution of SIFIs during the special "Too Big to Fail" symposium.

More photos are posted at flickr.abi.org!



ABI Vice President-Publications Alane A. Becket of Becket & Lee, LLP (I) reports on the flurry of activity with ABI's publications over the past year while Hon. Deborah L. Thorne (N.D. III.) looks on.



Joshua Pichinson of agencylP (second from right) congratulates "40 Under 40" honorees (from left) James R. Irving of Bingham Greenebaum Doll LLP, Elizabeth Gunn of the Virginia Office of the Attorney General and Elizabeth B. Vandesteeg of Sugar Felsenthal Grais & Helsinger LLP.



Hon. Benjamin A. Kahn (M.D.N.C.), Nancy A. Valentine of Miller, Canfield, Paddock and Stone, PLC and Randa J. Karambelas of ToneyKorf Partners, LLC (I-r) discuss mediation in health care disputes.



David Pauker (New York) (I) and Vincent E. Lazar of Jenner & Block enjoy a light moment during the popular "Too Big to Fail" symposium, held on Thursday ahead of the Opening Reception.



Richard E. Mikels of Pachulski Stang Ziehl & Jones LLP (I) congratulates incoming ABI President Ted Gavin.



Honorees Jeremy R. Fischer of Drummond Woodsum (I) and Kathryn B. McGlynn of Zolfo Cooper chat during the reception to honor ABI's inaugural "40 Under 40" class.



Judges Robert D. Drain (S.D.N.Y.) (above right) and Mary F. Walrath (D. Del.) (below center) were among those who led discussions during the Judicial Round and Round session.





Seth Grosshandler of Cleary Gottlieb Steen & Hamilton LLP (r) participated in the safeharbored financial contracts session during the "Too Big to Fail" symposium.





Broadcast journalist Ed Henry (above) discussed his book, 42 Faith: The Rest of the Jackie Robinson Story, which highlights the life of the Dodgers legend.



Secretary Hon. Dennis R. Dow (W.D. Mo.) (I) and incoming Vice President-Publications Lisa Sommers Gretchko of Howard & Howard Attorneys PLLC during an Executive Committee meeting.



A live taping of "Eye on Bankruptcy" featured (I-r) host Prof. Juliet M. Moringiello of Widener Law Commonwealth, Jeffrey L. Cohen of Lowenstein Sandler LLP and Lillian Rizzo of the Wall Street Journal.



Charles M. Berk of CBIZ Corporate Recovery Services, Elizabeth A. Green of BakerHostetler and Nellwyn Voorhies-Kantak of Donlin, Recano & Company, Inc. (I-r) enjoy one of the conference's many networking receptions.



ABC Board Members J. Scott Bovitz of Bovitz & Spitzer (I) and Craig M. Geno of Craig M. Geno, PLLC share a laugh before a session.



The brave and hearty participants of the Fun Run. The weather wasn't as brisk as their pace! The entire group averaged under nine minutes a mile for the course of nearly four miles.



Prof. Jay L. Westbrook of the University of Texas School of Law (at left) discusses the demystification of executory contracts in bankruptcy.



Lori V. Vaughan of Trenam Law (I) and Bodie Colwell of PretiFlaherty network during the Women's Reception.



Hon. Eugene R. Wedoff (I) hands the ABI presidential gavel to his successor, Ted Gavin of Gavin/Solmonese LLC.



Two popular panels discussed the most important bankruptcy cases (above) and the growing role of artifical intelligence in bankruptcy practice (below).



A group of ABI's Past Presidents — Melissa S. Kibler, Michael P. Richman, Robert M. Fishman, Patricia A. Redmond, Robert J. Keach, John W. Ames, James Patrick Shea, Deborah D. Williamson, J. Ford Elsaesser, Jeffrey N. Pomerantz, Hon. Eugene R. Wedoff (ret.), Robert M. Zinman, Brian L. Shaw and James T. Markus (I-r) — gathered with the gavel during the Final Night Dinner.







The Final Night Dinner featured the comedic stylings of legend Jim Belushi with his Board of Comedy.

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