

Event Roundup

More than 350 Attend ABI's Winter Leadership Conference, Converted to Online Format for 2020



Jeffrey K. Garfinkle (Buchalter, PC; Irvine, Calif.), Ben Pickering (Ernst & Young; New York), Hon. Elizabeth S. Stong (U.S. Bankruptcy Court (E.D.N.Y.); Brooklyn), Ben Carlsen (McKesson Corp.; Atlanta) and Scott A. Zuber (Chiesa Shahinian & Giantomasi PC; West Orange, N.J.) (from top, l-r) led a panel on the U.S. pharmaceutical industry, focusing on the typical capital structures of pharmaceutical/development companies versus in-pipeline companies.

ABI's final conference of the year, the Winter Leadership Conference, was converted to an online format and ran during the afternoons of Dec. 3 and 4 (mornings and early afternoons for West Coast attendees). The program, eligible for up to 10.5 hours of general CLE credit, including up to 1.5 hours of ethics, featured multiple plenary and concurrent sessions on a variety of timely topics, flanked by well-attended networking sessions each day. As an added treat, Sherwood Partners, Inc./agencyIP sponsored breaks on both days that featured virtual performances by The Sugarplums, who



Jeremy R. Fischer (Drummond Woodsum; Portland, Maine), Erika Morabito (Foley & Lardner LLP; Washington, D.C.), Hon. Janet S. Baer (U.S. Bankruptcy Court (N.D. Ill.); Chicago), James S. Feltman (Duff & Phelps, LLC; Miami Lakes, Fla.) and Thomas J. Salerno (Stinson LLP; Phoenix) (from top, l-r) discussed how critical witness testimony at trial and in depositions is to winning, with how to deal with situations that may arise.

belted out festive holiday tunes, and The Starlets, who sang oldies from the malt shop era.

Panels featured such topics as pharmaceutical bankruptcy cases, distressed investing, witness preparation, cross-border mediation, dilemmas for landlords in the wake of COVID-19, sales of health care assets, the ABI Consumer Commission's wish list of changes to consumer practice, § 363 sales, *nunc pro tunc* relief and post-petition rent payments, getting retained and paid, and fraud and claims trading. ABI's committees hosted several of the well-received sessions.

ABI thanks all the speakers for their informative and lively panels. ABI also is grateful to the following sponsors for their support: Platinum sponsors AlixPartners LLP and CSC; Gold sponsors Cravath, Swaine & Moore LLP, Development Specialists, Inc., Grant Thornton LLP, Polsinelli PC, Proskauer Rose LLP and Reid Collins & Tsai LLP; and Silver sponsors agencyIP, BakerHostetler, Cozen O'Connor, CPT Group, Inc., Getzler Henrich & Associates LLC, KCC, McGuireWoods LLP, Pachulski Stang Ziehl & Jones, Sherwood Partners, Inc. and SSG Capital Advisors, LLC.

Keep an eye out for information on next year's conference at abi.org/events, when we hope to host an in-person event! **abi**

Members in the News

Bush Ross, PA announced that several of its attorneys have been selected for *The Best Lawyers in America* for 2020. **Adam Lawton Alpert** has been an ABI member since 2002. **Kathleen L. DiSanto** has been an ABI member since 2011, is Newsletter Editor of ABI's Unsecured Trade Creditors Committee and is as a coordinating editor for the *ABI Journal*. **H. Bradley Staggs** has been an ABI member since 1994. **Jeffrey W. Warren** has been an ABI member since 1985 and is on the advisory board of ABI's Stetson-Paskay Bankruptcy Seminar.



Ross J. Switkes

Norris McLaughlin, PA, announced that **Ross J. Switkes** has joined the firm's Bankruptcy and Creditors' Rights Practice

Group in Bridgewater, N.J. He has been an ABI member since 2014.

Michelle V. Larson has been appointed as a judge for the U.S. Bankruptcy Court for the Northern District of Texas by the U.S. Court of Appeals for the Fifth Circuit, to a seat vacated by the retirement of U.S. Bankruptcy Judge **Barbara J. Houser** (who currently serves as ABI President). Based in Dallas, Judge Larson has been an ABI member since 2019.

Young Conaway Stargatt & Taylor, LLP announced that several attorneys have been selected for *The Best Lawyers in America* for 2020. **Joseph M. Barry** has been an ABI member since 2001. **Sean M. Beach** has been an ABI

member since 2005. **Robert S. Brady** has been an ABI member since 1995. **M. Blake Cleary** has been an ABI member since 2001. **Edwin J. Harron** has been an ABI member since 2002. **Pauline K. Morgan** has been an ABI member since 1991. **Edmon L. Morton** has been an ABI member since 2001. **Joseph Mulvihill** has been an ABI member since 2016. **Michael R. Nestor** has been an ABI member since 2000. **James L. Patton** has been an ABI member since 1990.

DLA, LLC announced the addition of **Kathleen Lauster**, CFA, as a managing director overseeing the firm's Capital Advisory and Restructuring Practice. Based in New York, she has been an ABI member since 2019.

BakerHostetler announced that several attorneys have been selected for *The Best Lawyers in America* for 2020. **Brian A. Bash** has been an ABI member since 2010. **Kelly S. Burgan** has been an ABI member since 2011. **Cecily A. Dumas** has been an ABI member since 2010 and is on the advisory board of ABI's Views from the Bench program. **Tiffany Payne Geyer** has been an ABI member since 2011 and is on the advisory board of ABI's Caribbean Insolvency Symposium. **Matthew R. Goldman** has been an ABI member since 1997. **Eric Goodman** has been an ABI member since 2006. **Elizabeth**

A. Green has been an ABI member since 2010 and is on the advisory boards of ABI's Stetson-Paskay Bankruptcy Seminar and Southeast Bankruptcy Workshop. **Jimmy D. Parrish** (who was also recognized as a "Lawyer of the Year" by the publication) has been an ABI member since 2003. **Irving H. Picard** has been an ABI member since 1998 and is on the advisory board of ABI's New York City Bankruptcy Conference. **Geraldine E. Ponto** has been an ABI member since 1991. **Eric E. Sagerman** has been an ABI member since 2007. **David J. Sheehan** has been an ABI member since 2009. **Michael A. VanNiel** has been an ABI member since 2011.

Potter Anderson & Corroon LLP announced that three attorneys have been selected for *The Best Lawyers in America* for 2020. **R. Stephen McNeill** has been an ABI member since 2010 and is a coordinating editor for the *ABI Journal*. **Jeremy W. Ryan** has been an ABI member since 2005. **Christopher M. Samis** has been an ABI member since 2007.

Katten Muchin Rosenman LLP announced the addition of partner **John E. Mitchell** to the firm's Insolvency and Restructuring Practice in Dallas. He has been an ABI member since 1997.

Saul Ewing Arnstein & Lehr LLP announced that several attorneys have been selected for *The Best Lawyers in America* for 2020. **Maria Ellena Chavez-Ruark** has been an ABI member since 2004. **Jeffrey C. Hampton** has been an ABI member since 1992. **Adam H. Isenberg** has been an ABI member since 1995. **Mark Minuti** has been an ABI member since 1999. **Charles O. Monk** has been an ABI member since 2004.

Winston & Strawn LLP announced that **James T. Bentley** has joined the firm's Restructuring Practice in New York. He has been an ABI member since 2009.

Nutter McClennen & Fish, LLP announced that **John G. Loughnane** has been selected for *The Best Lawyers in America* for 2020. Based in Boston, he has been an ABI member since 2003 and is co-chair of ABI's Mediation Committee.

DelCotto Law Group PLLC announced that **Laura Day DelCotto** and **Dean A. Langdon** have been selected for *The Best Lawyers in America* for 2020. Ms. DelCotto has been an ABI member since 1988. Mr. Langdon has been an ABI member since 1990.

Sheppard, Mullin, Richter & Hampton LLP announced that several attorneys have been selected for *The Best Lawyers in America* for 2020. **Richard W. Brunette** has been an ABI member since 1992. **Geraldine A. Freeman** has been an ABI member since 2010. **Ori Katz** has been an ABI member since 2011. **Aaron J. Malo** has been an ABI member since 1997. **Alan H. Martin** has been an ABI member since 1989. **Kyle J. Mathews** has been an ABI mem-



Kathleen Lauster



R. Stephen McNeill



Jeremy W. Ryan



John G. Loughnane

ABI Members Help Man with Down Syndrome Achieve New World Record



Roy S. Kobert of GrayRobinson, PA (r) played a small role in helping a man with Down Syndrome set the world record as the first to complete an Ironman Triathlon. He hosted ESPN and Special Olympics film crews on his pontoon boat during the swim practice. David R. McFarlin of Fisher Rushmer, PA (l) gave crews the use of his dock. Both have been ABI members for more than 20 years and are based in Orlando, Fla.

ber since 2017 and is on the advisory board of ABI's Bankruptcy Battleground West program.

Pillsbury Winthrop Shaw Pittman LLP announced that **Hugh M. McDonald** has joined the firm's Insolvency and Restructuring Practice in New York. He has been an ABI member since 2018.

Pachulski Stang Ziehl & Jones LLP announced that several attorneys have been selected for *The Best Lawyers in America* for 2020. **David J. Barton** has been an ABI member since 2002. **Kenneth H. Brown** has been an ABI member since 2004. **Andrew W. Caine** has been an ABI member since 1992 and is a past ABI President. **Linda F. Cantor** has been an ABI member since 1996. **Shirley S. Cho** has been an ABI member since 2006. **Jeffrey H. Davidson** has been an ABI member since 1999. **Jeffrey W. Dulberg** has been an ABI member since 2003. **John D. Fiero** has been an ABI member since 2004. **Robert J. Feinstein** has been an ABI member since 2000 and is on the advisory board of ABI's New York City Bankruptcy Conference. **Tavi C. Flanagan** has been an ABI member since 2018. **Joshua M. Fried** has been an ABI member since 2011 and is Education Director of ABI's International Committee. **Gabriel I. Glazer** has been an ABI member since 2006. **Stanley E. Goldich** has been an ABI member since 2001. **Debra I. Grassgreen** has been an ABI member since 1993. **Scott L. Hazan** has been an ABI member since 1997. **Laura Davis Jones** has been an ABI member since 1998 and is on the advisory boards for ABI's Mid-Atlantic Bankruptcy Workshop, VALCON program and Views from the Bench. **Jeffrey L. Kandel** has been an ABI member since 2011. **Teddy M. Kapur** has been an ABI member since 2011. **Henry C. Kevane** has been an ABI member since 2011. **Ira D. Kharasch** has been an ABI member since 2012. **Jonathan J. Kim** has been an ABI member since 2012. **Alan J. Kornfeld** has been an ABI member since 2005. **Maxim B. Litvak** has been an ABI member since 2012. **William N. Lobel** has been an ABI member since 2001. **Richard E. Mikels** has been an ABI member since 1997 and is on the advisory board of ABI's Corporate Finance and Restructuring Program. **Iain A.W. Nasatir** has been an ABI member since 2014. **Jeffrey P. Nolan** has been an ABI member since 2009. **James E. O'Neill** has been an ABI member since 1998. **Robert B. Orgel** has been an ABI member since 2003. **Isaac M. Pachulski** has been an ABI member since 1998. **Richard M. Pachulski** has been an ABI member since 1992. **Malhar S. Pagay** has been an ABI member since 1999. **Jeffrey N. Pomerantz** has been an ABI member since 2001 and is a past ABI President. **Jason S. Pomerantz** has been an ABI member since 1996. **William L. Ramseyer** has been an



Hugh M. McDonald



Wendi Alper-Pressman



Robert J. Haupt



Richard T. Arrowsmith

ABI member since 2019. **Colin R. Robinson** has been an ABI member since 2006. **Bradford J. Sandler** has been an ABI member since 2002. **Robert M. Saunders** has been an ABI member since 2004. **Michael R. Seidl** has been an ABI member since 2004. **James I. Stang** has been an ABI member since 1995. **Dean A. Ziehl** has been an ABI member since 2002.

Porzio, Bromberg & Newman PC announced that **Rachel A. Parisi** has been promoted to principal. Based in Morristown, N.J., she has been an ABI member since 2012.

Robinson, Gray, Stepp & Laffitte, LLC announced that **R. William Metzger** has been selected for *The Best Lawyers in America* for 2020. Based in Columbia, S.C., he has been an ABI member since 1992.

Lathrop GPM LLP announced that three attorneys have been selected for *The Best Lawyers in America* for 2020. **Wendi Alper-Pressman** has been an ABI member since 2010. **Robert J. Haupt** has been an ABI member since 2003. **Brian M. Holland** (who was also recognized as "Lawyer of the Year" by the publication) has been an ABI member since 2009 and is on the advisory board of ABI's Midwestern Bankruptcy Institute program.

Ervin, Cohen & Jessup LLP announced that **Peter A. Davidson** has been selected for *The Best Lawyers in America* for 2020. Based in Beverly Hills, Calif., he has been an ABI member since 1998.

FTI Consulting, Inc. announced the appointment of **Richard T. Arrowsmith** as a senior managing director in the firm's Corporate Finance and Restructuring Segment. Based in Boyds, Md., he has been an ABI member since 2012.

Drinker Biddle & Reath LLP announced that **Andrew C. Kassner** has been selected for *The Best Lawyers in America* for 2020. Based in Philadelphia, he has been an ABI member since 1987. **abi**

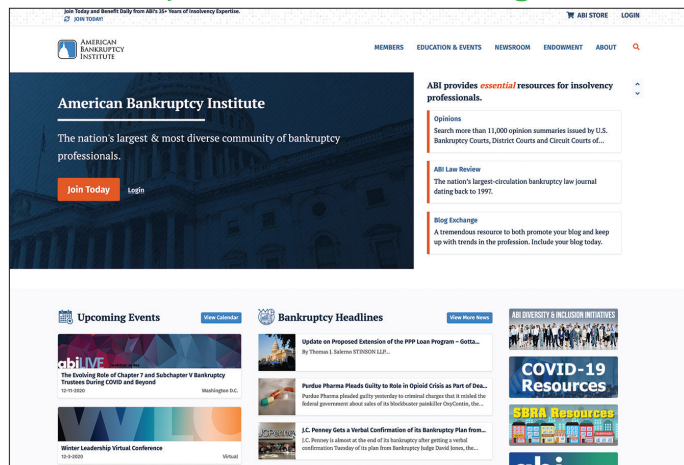
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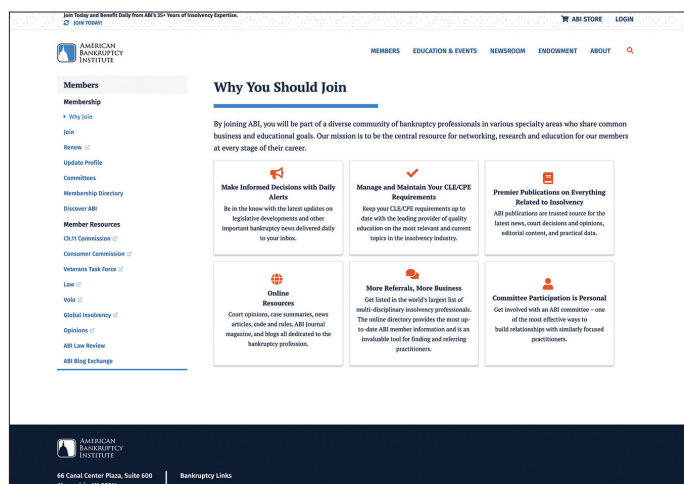
Email
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What's Happening at ABI

New Year, New Look for abi.org



The revamped look of abi.org. Check it out today!



ABI's website has a new look! With improved functionality and easier navigation, finding your favorite ABI resources is now easier. Visit abi.org to experience the new site. Contact us at support.abiworld.org if you have any questions or need a tour of the new website.

Duberstein Problem Released

The Duberstein National Bankruptcy Moot Court Competition will be held Feb. 27-March 1, 2021. The competition, now in its 29th year, is a result of the longstanding partnership between ABI and St. John's University School of Law. It is widely recognized as one of the nation's preeminent moot court competitions. Due to the COVID-19 pandemic, the 2021 competition will be held virtually. Thirty-four law schools will compete through written briefing and oral argument. Prior to competing in the national competition, many schools will participate in preliminary regional competitions located in cities across the nation.

This year's problem, which was once again developed by Hon. **John T. Gregg** (U.S. Bankruptcy Court (W.D. Mich.); Grand Rapids) and **Paul R. Hage** (Jaffe Raitt Heuer & Weiss; Southfield, Mich.), presents two hotly contested issues for argument:

1. Whether 11 U.S.C. § 362 and related judicial code provisions impliedly repealed the Federal Arbitration Act, 9 U.S.C. §§ 1, *et seq.*; and
2. Whether 11 U.S.C. § 362(c)(3)(A) applies to property of a debtor's bankruptcy estate.

The problem is available at stjohns.edu/sites/default/files/2020-12/Duberstein%20Fact%20Pattern%202021%20FINAL.pdf.

The Duberstein Competition is looking for volunteer brief-graders and judges for the preliminary rounds on Feb. 27 and Feb. 28. To volunteer, please register at docs.google.com/forms/d/e/1FAIpQLSdJLE_LfHJCD2CkEYtkGX-xd3RpdCxykur85GQ8QXAJ-NNEXA/viewform. To volunteer as a preliminary-round judge, please register at docs.google.com/forms/d/e/1FAIpQLScisbZOUcOphgwCKB8Akm5DnkMfvvhfFmc5FX95IIED0ihuxqA/viewform.

For inquiries regarding serving as a brief-grader or a preliminary-round judge, please contact Mr. Hage at phage@jaffelaw.com. To learn more about the Duberstein Competition, please visit stjohns.edu/law/academics/centers-and-clinics/29th-annual-duberstein-bankruptcy-moot-court-competition.

Kick Off Your Year with ABI

Join us Jan. 28-29 for ABI's Rocky Mountain Bankruptcy Conference. This year's program will bring together regional judges and top practitioners for two days of interactive and informative programming. Take advantage of the flexibility that an online conference offers — including 30 days of access to conference session recordings — and experience the two-day event from the comfort of your home or office!

ABI's panel of experts will discuss the Nuts & Bolts of the SBRA, the impact of COVID-19 on bankruptcy filings, fee examiners' tips, Rochelle's Rocky Mountain update, the ever-popular Judicial Roundtable and more! There will also be many opportunities to mix and mingle virtually with your colleagues during our breaks, in the attendee lounge and the Thursday evening networking event!

Then on Feb. 9, travel (virtually) to warmer climates for ABI's Annual Caribbean Insolvency Symposium. Join renowned bankruptcy judges and international insolvency professionals for discussions on both consumer and business bankruptcy issues relating to COVID-19, the first year of the SBRA, cross-border rescue and failure, and consumer hot topics. The program will feature a roundtable discussion on timely issues, including securitization in a post-pandemic world, valuations of assets and feasibility in the COVID-19 era, the new chapter 10 proposal, PROMESA and more. Of course, don't miss what will surely be a lively virtual networking hour to conclude the event.

Make sure you join the discussion by registering for these upcoming events at abi.org/events. We look forward to seeing you this year!

ABI's 2020 "40 Under 40" Class to Be Celebrated in February



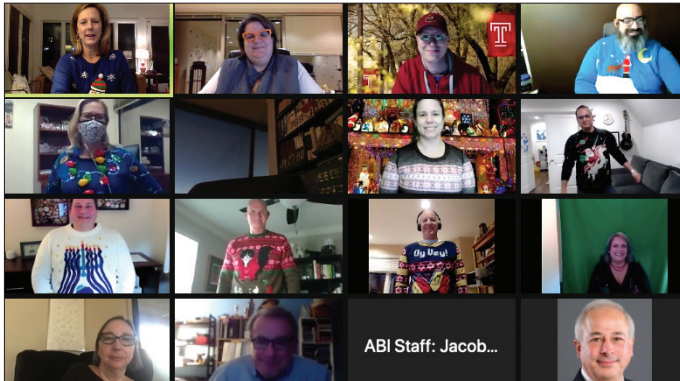
With 2020 being a wash for in-person events, this year's class of ABI "40 Under 40" honorees will instead be featured during a virtual celebration on Feb. 18. Stay tuned for additional information. In the meantime, enjoy learning more about this year's class, starting on p. 12.

ABI Wednesday Happy Hours Finished 2020 with Some Competition

ABI's Virtual Happy Hours continued in December and finished up 2020 with an ugly sweater contest and a game night. The ugly holiday sweater night had more than a dozen entries, including a Hannukah Octopus sweater and a Santa on a Unicorn in Space sweater. All entries received a prize. ABI's final Happy Hour of 2020 was a game night where small groups got a chance to go head-to-head on team trivia. While the session got heated, it was all in good fun.

We look forward to bringing back ABI's Virtual Happy Hours in 2021 with more networking and fun with insolvency colleagues from all over the world (check out p. 5 for upcoming dates). These events are open for members and non-members alike. If you haven't joined us for one — what are you waiting for? We alternate between 5 p.m. ET and 8 p.m. ET and feature breakout rooms for more intimate networking opportunities. Your next deal might be found online! Sign up to join in the fun at abi.org/rsvp.

Sponsorships for the Wednesday Happy Hours are also available. Contact ABI Sales Manager **Sharisa Sloan** at ssloan@abi.org for more information.



ABI members and staff donned their ugliest holiday sweaters (top) and participated in a trivia night (bottom) during two Happy Hours in December.



ABI Lends Helping a Hand to the Pacific Islands

Guam and the Commonwealth of the Northern Marianas (CNMI) are two U.S. territories whose federal courts are within the far-flung borders of the Ninth Circuit Court of Appeals. CNMI's capital city, Saipan, is more than 3,700 miles southwest of Honolulu, just a short 7.5-hour flight. Despite the great distance, ABI's reach recently extended to our colleagues across the International Dateline.



Hon. Frances M. Tydingco-Gatewood



Hon. Ramona Manglona

ABI, together with the CNMI and Guam Bar Associations and Ninth Circuit lawyer representatives, hosted a series of three two-hour bankruptcy virtual conferences for the courts, the bars and the local business communi-

ties. These presentations were masterminded by Chief Judges **Frances M. Tydingco-Gatewood** (Guam) and **Ramona Manglona** (NMI), both of whom are acutely aware that the islands may soon experience a flood of bankruptcy filings as the COVID-19 pandemic continues to grip the globe.

Both of these judges are anxious to prepare court staff, practicing lawyers and local businesses for the expected bankruptcy onslaught. "Our islands have a small number of practicing bankruptcy attorneys," Judge Tydingco-Gatewood said. "I was excited when Arizona Bankruptcy Judge **Daniel Collins** worked with me and Chief Judge Manglona to execute a plan introducing bankruptcy basics to our bar members. We are also extremely grateful to [ABI] and the outstanding presenters for the wealth of knowledge they have shared with our legal and business communities on critical bankruptcy issues exploding both on and off island as a result of the pandemic outbreak. These three virtual seminars are just the beginning. Our Guam Bar President, **Jacque Terlaje**, District Representatives, **Cynthia Ecube** and **Vince Seman**, along with Corporate and Bankruptcy Attorney **Joyce Tang**, have already hit the ground running and are preparing for the on-island, in-person Bankruptcy Academy for the Guam lawyers and separate training for the local and federal judges expected to launch [in] spring 2021."

The first of the three CLE sessions hosted on ABI's Zoom platform was a preview of ABI's soon-to-be-released Nuts & Bolts series, starring Prof. **Anthony J. Casey** (University of Chicago Law School; Chicago) and **Anupama Yerramalli** (Latham & Watkins LLP; New York), who are both 2017 ABI "40 Under 40" honorees. Several weeks later, **Andrew C. Helman** (Murray Plumb & Murray; Portland, Maine), who is a 2019 ABI "40 Under 40" honoree, joined Guam banker **Clarke Schaumann** (regional country head of Guam and American Samoa, and a board director of ANZ Guam Inc.) and appraiser **Siska S. Hutapea**, MAI, SRA, AI-GRS, MRICS, RW-AC, MRE (Cornerstone Valuation Guam Inc.) in a fascinating discussion about pandemic-related financial and legal issues ravaging businesses large and small across the U.S., especially in the Pacific Islands.

Most recently, ABI hosted the virtual platform for a CLE program featuring **Tiffany Payne Geyer** (BakerHostetler; Orlando, Fla.) and Ninth Circuit Lawyer Representatives Misty Perry Isaacson (Pagter and Perry Isaacson, APLC; Los Angeles) and **Alika L. Piper** (Klevansky Piper, LLP; Honolulu). These commercial lawyers focused on challenges, risks and opportunities amidst the pandemic, especially focusing on PPP-forgiveness issues, novel pandemic-driven legal arguments in and out of bankruptcy, and intermediate-level bankruptcy strategies. Judge Collins served as moderator for these three presentations.

Commenting on ABI’s role in these three CLE offerings, Chief Judge Manglona said, “ABI’s wealth of talent from judge and lawyer members to the information technology staff, made this virtual conference series possible across the 15-hour time zone difference. They coordinated with ... local resource[s] of information to make the presentations relevant and meaningful.” In response, ABI Chief Operating Officer **Karim Guirguis** commented, “ABI’s educational mission knows no boundaries; we will always serve the bankruptcy community wherever there is a need.”

ABI’s longtime commitment to education and public outreach has never been more evident than in its recent role serving the courts, legal community and business sector in the Northern Marianas and Guam.

Have You Checked Out the ABI Store Lately?



With nine new titles published in 2020 — and more on the way — there’s always something new at store.abi.org, ABI’s online bookstore. Of particular note is the updated Valuation Bundle, which now includes the recently published book, *Developing the Evidence*. You can find out more about all the latest ABI publications by downloading the Fall 2020 Publications Catalog, available at abi-store.s3.amazonaws.com/Publications_Catalog.pdf. Remember that ABI members get discounted pricing on all ABI Books — just log in at store.abi.org with your ABI credentials to secure the special pricing. Happy shopping!

ABI Journal Thanks Outgoing Editorial Board Members

With the start of the new year, the *ABI Journal* Editorial Board is saying goodbye to some of our dedicated contributors. Our deepest thanks go to these ABI members

for their service and dedication as coordinating editors in making the *Journal* the top bankruptcy-related publication for bankruptcy practitioners:

- **B. Summer Chandler** (Southern University Law Center; Panama City Beach, Fla.) of the Student Gallery column;
- **Andrew Dawson** (University of Miami School of Law; Coral Gables, Fla.) of the Student Gallery column;
- **Edward Flynn** (ABI; Alexandria, Va.) of the Bankruptcy by the Numbers column;
- **Heather McGivern** (Freedom Law, PC; Eastpointe, Mich.) of the Consumer Point/Counterpoint column;
- **Kenneth M. Miskin** (U.S. Department of Justice; Los Angeles) of the News at 11 column;
- **Siddharth Sisodia** (Linklaters LLP; New York) of the Code to Code column;
- **Susan E. Trent** (Rothberg Logan & Warsco, LLP; Fort Wayne, Ind.) of the Last in Line column; and
- **Scott A. Wolfson** (Wolfson Bolton PLLC; Troy, Mich.) of the Problems in the Code column.

In addition, we thank **Scott K. Brown** (Lewis Roca Rothgerber Christie LLP; Phoenix) for serving as an associate editor, and **Risa L. Wolf-Smith** (Holland & Hart LLP; Denver) for serving as an executive editor. For more information about ABI’s flagship publication, please visit abi.org/abi-journal.

New abiLIVE Webinars Available

One new newsworthy topic was discussed in an abiLIVE webinar in December, and two more webinars will be held in January.

Does the Math Check Out? Subtracting Chapter 13 and Chapter 7 and Adding Chapter 10 Under the Consumer Bankruptcy Reform Act of 2020

In December, ABI held an abiLIVE webinar, sponsored by ABI’s Consumer Bankruptcy Committee, where panelists discussed the Consumer Bankruptcy Reform Act’s highlights and shared their initial impressions on the contrast between current processes under chapters 7 and 13 and the proposed processes under chapter 10. The legislation was introduced by Sens. Elizabeth Warren (D-Mass.), Dick Durbin (D-Ill.) and Sheldon Whitehouse (D-R.I.), and Representatives Jerrold Nadler (D-N.Y.) and David Cicilline (D-R.I.). The Act proposes a fundamental reform of the consumer bankruptcy process under the Bankruptcy Code, with the goal of making the process easier, less expensive and more equitable. Read more on p. 10 of this issue.

Midstream Contracts in Chapter 11: Covenants Running with the Land? (Coming Jan. 8)

This webinar, organized by ABI’s Business Reorganization Committee, is set for Jan. 8 and will focus on the discussion of chapter 11 cases addressing the nature and treatment of oil and gas gathering agreements. Since the 2016 decision in *Sabine Oil & Gas*, courts have grappled with whether midstream contracts contain real property covenants that “run with the land” and thus whether chapter 11 debtors can reject contracts with their

midstream providers. In the most recent decisions on this issue (*Extraction* and *Southland*), the U.S. Bankruptcy Court for the District of Delaware found that the debtors' gathering agreements did not satisfy the elements required to create such a real property covenant. The webinar also discusses (1) foundational law and principles regarding contract rejection and covenants "running with the land"; (2) an overview of seminal cases, including the most recent decisions in *Extraction* and *Southland*; and (3) a discussion of potential implications of recent case law and guidance for parties navigating this issue.

Diversity in Insolvency: Putting Inclusive Ideas into Practice (Coming Jan. 21)

This webinar, hosted by ABI's Diversity Taskforce, will be held on Jan. 21. It will discuss building a better law practice while building a more diverse and inclusive workplace. Diversity and inclusion leaders from the public and private sectors will discuss diversity, equity and inclusion's impact on career trajectory, mentorship, and the bottom line, while providing tips for retaining and attracting talent. The session features a plenary session and breakout rooms staffed with a diversity and inclusion expert and a bankruptcy judge. The program concludes with a networking happy hour.

Members can access recordings at cle.abi.org. ABI's committees hold free webinars for members year-round. Keep an eye out for future webinars in the *ABI InSights* e-newsletter, delivered weekly to your inbox.

ABI Members Elected to the American College of Bankruptcy

The following ABI members have been elected to the American College of Bankruptcy and will be inducted during ceremonies in March 2021: **Omar J. Alaniz** (Reed Smith LLP; Dallas), **Paula S. Beran** (Tavener & Beran, PLC; Richmond, Va.), **Leyza Florin Blanco** (Sequor Law; Miami), **Jacob A. Brown** (Akerman LLP; Jacksonville, Fla.), **Thomas L. Canary, Jr.** (Keith D. Weiner & Associates, LPA; Louisville, Ky.), **John R. Castellano** (AlixPartners LLP; Chicago), Hon. **Daniel P. Collins** (U.S. Bankruptcy Court (D. Ariz.); Phoenix), **Stephanie Drew** (RubinBrown LLP; Denver), **Michael C. Eisenband** (FTI Consulting, Inc.; New York), **Janet B. Haigler** (Haigler Law Firm LLC; Chapin, S.C.), **Eric L. Johnson** (Spencer Fane LLP; Kansas City, Mo.), **Michael R. Johnson** (Ray, Quinney, & Nebeker, PC; Salt Lake City), **Jeffrey L. Jonas** (Brown Rudnick LLP; Boston), Hon. **Michael B. Kaplan** (U.S. Bankruptcy Court (D. N.J.); Trenton), **Jane Kim** (Keller & Benvenuti; San Francisco), **Teresa C. Kohl** (SSG Capital Advisors, LLC; West Conshohocken, Pa.), **M. Natasha Labovitz** (Debevoise & Plimpton LLP; New York), **Adam G. Landis** (Landis Rath & Cobb LLP; Wilmington, Del.), **Donald R. Lassman** (Law Office of Donald R. Lassman; Needham, Mass.), **Douglas L. Lutz** (Frost Brown Todd LLC; Cincinnati), **Nauni J. Manty** (Manty & Associates, PA; Minneapolis), **Erika L. Morabito** (Foley & Lardner LLP; Washington, D.C.), **Jeffrey N. Pomerantz** (Pachulski Stang Ziehl & Jones LLP; Los Angeles), **Brian M. Resnick** (Davis Polk & Wardwell LLP; New York), **Ray C. Schrock** (Weil, Gotshal & Manges LLP; New York), **Bradley D. Sharp** (Development Specialists, Inc.; Los Angeles), **George H. Singer** (Ballard Spahr LLP; Minneapolis), **Behrooz P. Vida** (The Vida Law Firm, PLLC; Bedford, Texas) and **Margaret R. Westbrook** (K&L Gates LLP; Raleigh, N.C.).

ABI also congratulates its own Editor-at-Large **Bill Rochelle** for being elected to this year's class! Be sure to check out Bill's insights on bankruptcy by signing up for *Rochelle's Daily Wire*, delivered each weekday via email and posted at abi.org/newsroom/daily-wire.

ABI Staff Virtually Celebrates Holidays



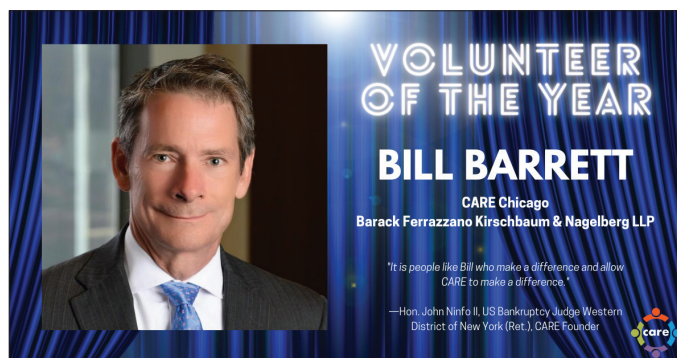
In mid-December, ABI staffers gathered virtually to celebrate the holidays, where they played an online version of Family Feud, then attended a happy hour. Due to COVID-19, the ABI staff has been working remotely since March 2020 but has been utilizing technology to stay as close-knit as possible.



CARE Corner

Bill Barrett Named CARE's 2020 Volunteer of the Year

Credit Abuse Resistance Education (CARE) would like to take a moment to thank volunteer and board member Bill Barrett (Barack Ferrazzano Kirschbaum & Nagelberg



LLP; Chicago) for his dedication and impact. He devotes his time to making a difference in the CARE community and leads its national education committee, helping us create new and innovative ways to reach youths and spread awareness about financial literacy education.

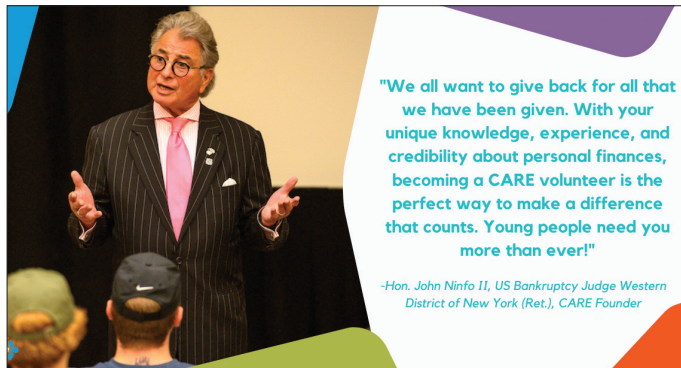
“We are thrilled that our own Bill Barrett has been chosen for this honor,” said Hon. **Janet S. Baer** (U.S. Bankruptcy Court (N.D. Ill.); Chicago). “He is an incredible volunteer and leader. Year after year, Bill surpasses all of the other Chicago volunteers in number of presentations while also working tirelessly on our board, as well as being the chair of the National Education Committee.”

CARE was honored to present Mr. Barrett with the 2020 Volunteer of the Year Award during its Power Hour Celebration on Dec. 8. During these uncertain times, his work has helped CARE get into classrooms (virtually), use technology in creative and new ways to share CARE’s curriculum, and continue its mission.

Thanks to Power Hour Sponsors

CARE is grateful to the sponsors of its Power Hour Celebration in early December: **Platinum:** FTI Consulting, Inc., Tavenner & Beran, PLC and Pachulski Stang Ziehl & Jones LLP; **Gold:** KCC; **Silver:** Engelman Berger, PC, Dundon Advisers LLC, Keen-Summit Capital Partners LLC, Chapman and Cutler LLP and Court Solutions; and **Bronze:** East West Bank, BakerHostetler and McGuireWoods LLP.

Volunteer with CARE!



Are you interested in volunteering with CARE and want to learn more? Visit care4yourfuture.org/volunteer to learn more about our volunteer opportunities and to sign up for our volunteer information sessions!

CARE’s Impact: Meet Ellie Lo and Tony Bussone, CARE’s 2020-21 Student and Teacher Liaisons

This year, in an effort to reach more young people and spread awareness about financial literacy education, CARE decided to start a liaison program featuring one student and one teacher every year. Once selected, the liaisons will have the opportunity to make a direct impact in CARE by participating in its development and education committee meetings; contribute their ideas about new programs, materials and projects; participate in CARE’s core-curriculum videos; and so much more.

Ellie Lo is a student at T.C. Williams High School in Alexandria, Va., and part of both the GWU Health

Sciences Program and the Music Program. Tony Bussone is a teacher at Grayslake (North) High School in Grayslake, Ill., and has been teaching such classes as personal finance, business law, marketing, accounting and entrepreneurship since 1996. CARE is looking forward to having both on its team!

Update from CARE Chicago

CARE Chicago completed a total of 40 virtual presentations in October and November, with great success. Evelyn, a high school student, shared: “Thank you for joining our class to inform us on what we need to know about student loans. Most of the information was very new to me, and a lot of questions I didn’t even know I had were answered! This will now make my process as I transition into college a lot easier. Again, thank you so much!”

CARE Chicago extends a huge thank you to everyone who has volunteered to do a presentation. Very special thanks go to Bill Barrett, who gave 15 presentations! The following is a list of all volunteers for October and November: Bill Barrett, David Bowen, India Cooley, **Thomas Fawkes**, Richard Fazio, Brandon French, Jacob Gerber, Matthew Gubernikoff, Megan Havern, Nancy Irurzun, Bryan Jacobson, Sonya Junious, Vivek Kathpal, Tracey Lazos, Jack Lee, Patrick McNeil, Kendall Meyer, Gianna Moreno, Jeffrey O’Connor, Brian O’Hara, Raj Prazad, **Joseph Schorer**, Jeff Schwartz, Julia Smolka, James Sullivan, Tere Wang, Atsuko Watanabe, Joel Weinberger and Patrick White.

Sign Up to Receive the Latest News from CARE

Did you know that you can stay up to date with what’s new with CARE? Sign up to receive our monthly e-newsletter to learn about CARE’s impact across the country and how you can help. Please visit care4yourfuture.org/sign-up to add your email to our list.

Karim Guirguis Named ABI’s Chief Operating Officer



Karim Guirguis

ABI is pleased to announce the promotion of **Karim Guirguis**, PMP, CAE, to Chief Operating Officer. Formerly ABI’s Chief Strategy and Innovation Officer, he joined the staff in 2002. “Karim is a visionary. He has been a leader in providing state-of-the art products and solutions to better serve ABI members and staff,” said ABI Executive Director **Amy Quackenboss**. “I look forward to working closely with him going forward to propel ABI as an innovator in the industry.”

Prior to joining ABI, Karim held several positions in website architecture and computer animation, most recently with Disney MGM Studios in Florida. His work has earned several awards from his peers, including an Oscar for his work on *Finding Nemo*, the prestigious Horizon Award for ABI’s video honoring its founders, as well as the Webby Award for his work with Tiffany Inc. and Polo.com. Karim is a regular presenter on cutting-

edge technology issues for professional educators such as the American Society of Association Executives, for which he serves on its technology board. He was also honored by the Alexandria (Va.) Chamber of Commerce as part of its 2017 “40 under 40” class to recognize top men and women, age 40 and under, engaged in a variety of fields including business, technology, nonprofit management, civic life, public service, education and the arts, who are shaping the city’s future. Karim received his B.S. in electrical engineering from Cambridge University in England, his Master’s in multimedia and animation from George Mason University, and his M.B.A. from Harvard Business School.

Mary Kleppinger Named ABI’s Chief People and Culture Officer



Mary Kleppinger

ABI is pleased to announce the promotion of **Mary Kleppinger**, PMP, CAE, to Chief People and Culture Officer. In this new role, she will head ABI’s talent acquisition, leadership development, employee engagement, performance management, organizational alignment and culture. Formerly ABI’s Director of Administration, Mary joined the staff in 2004 and has provided a variety of key services to ABI members and staff, including oversight of human resources, database management and general administration.

“Mary’s tenure with the organization has shown a demonstrated commitment to ABI members and its staff,” said ABI Executive Director **Amy Quackenboss**. “Her role as the Chief People and Culture Officer will enable her to grow, develop and enhance ABI’s continually evolving work environment. Throughout her years at ABI, Mary has proven that she has what it takes to move ABI’s greatest asset, its staff, into the future. I look forward to working with her in her new position.”

Prior to joining ABI, Mary served for seven years as the Director of Human Resources for the Vision Council of America. Her previous experience also includes five years serving as a manager at national marketing communications firm Griffin & Co. in Washington, D.C., and as an advertising coordinator at the *Journal of Light Construction*. Mary received her B.S. in general finance from the University of Vermont in 1991.

ABI Endowment Fund Update Virtual Wine Event Attracts Oodles of Oenophiles

On Dec. 2, a sizeable crowd of ABI Endowment supporters gathered online for a lively and informative presentation by Eddie Osterland, who holds the distinction of being America’s first Master Sommelier. Sprinkling his talk with entertaining anecdotes from his storied wine career, Mr. Osterland also introduced four wines — which many participants had received in advance — and guided the group through tasting notes and a broad overview of the global wine market.



ABI Endowment supporters (bottom) enjoyed a virtual tasting with four wines in early December featuring Master Sommelier Eddie Osterland.



Although many attendees shared the sentiment that, in a different set of circumstances, they would have been sharing the experience in person at the Winter Leadership Conference, the online event nonetheless was hailed as a great time of shared fellowship and support for the ABI Endowment. The event was sponsored by generous donations from BakerHostetler, Cozen O’Connor, East West Bank, Polsinelli and SSG Capital Advisors, LLC. The ABI Endowment thanks all these firms and those who attended for their support.

If your firm is interested in hosting an event in 2021 to benefit the ABI Endowment, please contact ABI Sales Manager **Sharisa L. Sloan** at ssloan@abi.org.

Levels of Support for the ABI Endowment

Millennium Level	\$50,000+
30th Anniversary Circle	\$30,000-\$49,999
Century Council Member	\$25,000-\$29,999
Visionary Member	\$20,000-\$24,999
Legacy Member	\$15,000-\$19,999
Lifetime Member	\$10,000-\$14,999
Benefactor	\$5,000-\$9,999
Sustaining Member	\$2,000-\$4,999
Leadership Club	\$1,000-\$1,999
Donor	\$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**