

President's Column

My last column was written in anticipation of attending the 25th Southeast Bankruptcy Workshop at The Breakers in Palm Beach, Fla. I am pleased to report that I returned from the conference as I write this column, and I must say, it was an exceptional experience. ABI's professional staff could not have been better prepared. All appropriate safety protocols were undertaken, the weather was great, the facility was beautiful and the water was warm.

Ruth and I had the pleasure of being accompanied by my daughter, son-in-law and two grandchildren. Many other attendees were joined by spouses and children as well for what was for many a truly outstanding vacation. Nearly 300 members and their families attended this wonderful event in person.

My hat is off to Judicial Chair Hon. **Benjamin A. Kahn** (U.S. Bankruptcy Court (M.D.N.C.); Greensboro), Co-Chairs **James R. Irving** (Dentons; Louisville, Ky.) and **Jennifer M. McLemore** (Williams Mullen; Richmond, Va.), and the entire advisory board. As usual, the programming was superb and the speakers exemplary. Your advisory board went all out to make ABI's first live event since COVID-19 a great one for everyone in attendance.

Once again, the Southeast Advisory Board was delighted to announce its 100 percent participation in the Endowment and — with the sponsorship of **Steven M. Berman** and his firm, Shumaker, Loop & Kendrick, LLP — hosted a fantastic fundraising tequila-tasting event, much to the enjoyment of the attendees. The silent auction was also a hit and, when combined with the tequila event, raised more than \$6,000 for the Endowment. Special thanks are due to those who contributed silent auction gifts.

Also in attendance was Past ABI President Hon. **Barbara J. Houser** (U.S. Bankruptcy Court (N.D. Tex.); Dallas) for her first in-person event since her sterling service as our president, and she was happy to physically "pass the gavel" to me at the opening reception. I would be remiss in not thanking the very large number of financial sponsors of this program. Without our sponsors, these programs would not be possible, and they truly stepped up to make the program a first-class event.

At press time, I am looking forward to our next live event, the Southwest Bankruptcy Conference in Las Vegas at the world-class Four Seasons Hotel Aug. 25-27. Judicial Co-Chairs Hon. **Martin R. Barash** (U.S. Bankruptcy Court (C.D. Cal.); Woodland Hills) and Hon. **Daniel P. Collins** (U.S. Bankruptcy Court (D. Ariz.); Phoenix), along with Advisory Board Co-Chairs **Patrick A. Clisham** (Engelman Berger, PC; Phoenix) and **Jordan A.**

Kroop (Perkins Coie LLP; Phoenix), have put together another fantastic program.

On July 7-8, I had the pleasure of attending the National Association of Chapter 13 Trustees (NACTT) by way of invitation from my friend, **Linda B. Gore**, the chapter 13 trustee for the Northern District of Alabama, who was ending her term as NACTT president. She is a proud ABI member, and I was happy to have the opportunity to speak on a panel regarding effective motion practice and appellate procedures. ABI's President-Elect, Retired Bankruptcy Judge **Kevin J. Carey** (Hogan Lovells US LLP; Philadelphia), was able to join me at the Opening Reception and a delightful dinner with the incoming and outgoing NACTT presidents. We also enjoyed visiting with ABI Director **Nancy J. Whaley**, a chapter 13 trustee in Atlanta. ABI has a long-standing working relationship with the NACTT, and we look forward to further collaboration in the future.

ABI's involvement with other organizations is one of our strengths, and we look forward to our next opportunity for collaboration at the 95th NCBJ Annual Conference Oct. 6-9 in Indianapolis. ABI is supporting NCBJ by hosting the interactive platform for the NCBJ virtual event and providing the app, internet and polling for the in-person event. In addition, ABI will be hosting its own programming at NCBJ on Friday, Oct. 8, which will conclude with the ABI luncheon, during which time the William L. Norton Jr. Judicial Excellence Award will be presented.

Also, we want you to attend ABI's Winter Leadership Conference on Dec. 9-11 at the Terranea Resort in Rancho Palos Verdes, Calif. Please join me for great programming and the opportunity to recognize our next "40 Under 40" honorees, who will increase our total honorees to 200 outstanding insolvency professionals since the beginning of this most notable program in 2017. Planning is still underway, so check abiwlc.org for forthcoming details.

Your committee leaders also are working overtime, and the list of available webinars and newsletters is almost endless. I commend these co-chairs and the other leaders of ABI's committees for the great work that they are doing. The programming that they will contribute to the Winter Leadership Conference and Annual Spring Meeting will be superb. Joining a committee is simple and a great way to get involved in ABI. For more information, visit members.abi.org/join.

If you have any thoughts or suggestions regarding ABI and how your membership can be more beneficial, please contact me at (205) 391-0073 or robert@rllaw.com. We want your ABI to serve you. **abi**



ABI President
Robert P. Reynolds
Reynolds, Reynolds & Little, LLC
Tuscaloosa, Ala.

Robert Reynolds is a senior partner with Reynolds, Reynolds & Little, LLC in its Tuscaloosa, Ala., office. He previously served as ABI's Vice President-Development.

Event Roundup

ABI Celebrates Return of In-Person Programming with 25th Southeast Bankruptcy Workshop

ABI last month presented its first in-person conference since the start of the pandemic: the 25th Southeast Bankruptcy Workshop, held July 29-Aug. 1 at The Breakers hotel in Palm Beach, Fla. More than 300 attended the workshop on site. The program also offered an online option for those who could not make it to Palm Beach; sessions were livestreamed on Friday, July 30, and on-demand sessions were available for the Saturday and Sunday panels.

ABI and the hotel worked together to help ensure the safety of all attendees, with indoor mask requirements and spaced seating in the session rooms. The workshop provided plenty of outdoor activities as well, including reserved beach days on Friday and Saturday, a golf tournament at The Breakers' Ocean Course, an afternoon social and ice cream social, a tequila-tasting with proceeds benefiting the ABI Endowment Fund, and a final night Beach Bash featuring food and family-friendly entertainment. The weather cooperated, and attendees were excited to be together again in person.

Workshop sessions covered such important topics as the economic impact of COVID-19, recent developments in § 363 sales, restructurings in the hospitality space, PPP loans and the CARES Act, state court causes of action in bankruptcy, distress in restaurants and retail, energy restructurings, mortgage forbearance and modification issues, investigations of debtors, workplace diversity and inclusion efforts, automatic stay and discharge violations, ethical considerations of technology in remote legal practice, new chapter 13 legislation, and the SBRA. A judicial session on ethical dilemmas rounded out the workshop.

ABI is grateful to the Southeast Advisory Board for helping to plan this successful hybrid program (ABI's first of several upcoming programs), particularly Judicial Chair Hon. **Benjamin A. Kahn** (U.S. Bankruptcy Court (M.D.N.C.); Greensboro) and Co-Chairs **James R. Irving** (Dentons; Louisville, Ky.) and **Jennifer M. McLemore** (Williams Mullen; Richmond, Va.). ABI also thanks the



During the Southeast Bankruptcy Conference, Past ABI President Barbara J. Houser (U.S. Bankruptcy Court (N.D. Tex.); Dallas) (l) officially passed the presidential gavel to her successor, Robert P. Reynolds (Reynolds, Reynolds & Little, LLC; Tuscaloosa, Ala.). This time-honored tradition typically takes place during ABI's Annual Spring Meeting but was delayed this year due to the COVID-19 pandemic.

many sponsors that supported the program: Adams & Reese LLP; agencyIP; Alston & Bird LLP; Axos Global Fiduciary Banking; BakerHostetler; Balch & Bingham, LLP; Barnes & Thornburg LLP; Bay Point Advisors, LLC; Berger Singerman LLP; Blanco Tackabery & Matamoros, P.A.; B. Riley Financial; Burr & Forman LLP; Butler Snow LLP; Christian & Small, LLP; Cozen O' Connor; CR3 Partners; Dentons Bingham Greenebaum LLP; Dundon Advisers LLC; Epiq; GGG Partners, LLC; Grier Wright Martinez PA; Hendren Redwine & Malone, PLLC; Jones Walker LLP; KapilaMukamal, LLP; KCC; King & Spalding LLP; K & L Gates LLP; Law Offices of Craig M. Geno, PLLC; Markowitz, Ringel, Trusty + Hartog, P.A.; Maynard Cooper & Gale, PC; McGlinchey Stafford PLLC; McGuireWoods LLP; Moore Bradley Myers Law Firm; Morris James LLP; Nelson Mullins Riley & Scarborough LLP; Nexsen Pruet, PLLC; Parker, Hudson, Rainer & Dobbs LLP; Perkins Coie LLP; Polsinelli; Reynolds, Reynolds & Little, LLC; Ritchie Bros.; SC&H Capital; Sherwood Partners, Inc.; SOLIC Capital, LLC; Stichter, Riedel, Blain & Postler, P.A.; Stretto; Summit Investment Management LLC; Trenam Law; Troutman Pepper; Whelehan Law Firm, LLC; and Wilmington Trust.

Next year's program will be held July 21-24, 2022, at the Ritz-Carlton, Amelia Island in Amelia Island, Fla. Visit abi.org/events for information as it becomes available.

ABI's Mid-Atlantic Bankruptcy Workshop Held Virtually

Nearly 200 attended ABI's Mid-Atlantic Bankruptcy Workshop online Aug. 5-6, which featured regional bankruptcy judges and virtual networking opportunities. Attendees were able to kick off both days of the workshop with a cup of coffee via Uber Eats, courtesy of McGuireWoods LLP and Cozen O'Connor. Sherwood Partners, Inc. and agencyIP sponsored their Sherwood Konzert Series streamed performances on both



Attendees and their families enjoyed the outdoor reception at the Southeast Bankruptcy Workshop in late July, which kicked off ABI's first in-person event in more than a year following the restrictions due to COVID-19.

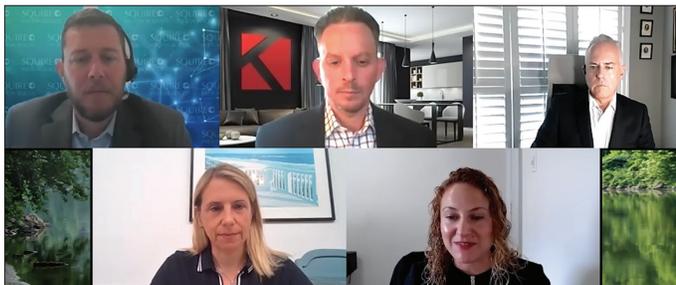


ABI President-Elect Hon. Kevin J. Carey (ret.; Hogan Lovells US LLP; Philadelphia) introduced the session discussing the pandemic's impact on brick-and-mortar businesses, which was led by Anthony R. Calascibetta (EisnerAmper LLP; Iselin, N.Y.), Ian J. Bambrick (Faegre Drinker Biddle & Reath LLP; Wilmington, Del.), Jennifer M. McLemore (Williams Mullen; Richmond, Va.) and Arielle B. Adler (Lowenstein Sandler LLP; Roseland, N.J.) (clockwise from top left).

days, and Gavin/Solmonese LLC sponsored a virtual mix-and-mingle after the first day's sessions.

The workshop featured panels on the impact of the pandemic on brick-and-mortar retail, the standing doctrine in bankruptcy court, emerging SPAC trends, subchapter V case law updates, the increasing use of chapter 11 to resolve sexual abuse scandals, the SBA's paycheck protection program, and an ethics session on what to do and not do when leaving your firm. The workshop's judges wrapped up the program with a judicial round-and-round on current bankruptcy and practical skills issues, during which judges and attendees rotated online rooms in a Zoom-style presentation. Attendees could earn up to 7.2 hours of CLE credit, including up to 1.2 hours of ethics.

ABI thanks the advisory board for putting on a quality program, notably Judicial Co-Chairs Hon. **Ashely Chan** (U.S. Bankruptcy Court (E.D. Pa.); Philadelphia) and Hon. **Stacey L. Meisel** (U.S. Bankruptcy Court (D. N.J.); Newark), and Co-Chairs **Anne Eberhardt** (Gavin/Solmonese LLC; New York), **Shanti M. Katona** (Polsinelli; Wilmington, Del.) and **Lisa Bittle Tancredi** (Womble Bond Dickinson (US) LLP; Baltimore). ABI also is grateful to the following sponsors for their financial support: agencyIP; BakerHostetler; Ballard Spahr LLP; Barnes & Thornburg LLP; Cozen O'Connor; Gavin/



You're leaving your firm, but what do you need to know before you go? A panel led by Jeffrey N. Rothleder (Squire Patton Boggs; Washington, D.C.), David M. Posner (Kilpatrick Townsend & Stockton LLP; New York), Thomas M. Horan (Cozen O'Connor; Wilmington, Del.), L. Katherine Good (Potter Anderson & Corroon LLP; Wilmington, Del.) and Adrienne K. Walker (Locke Lord LLP; Boston) (clockwise from top left) covered the dos and don'ts of a professional's ethical obligations when changing firms.

Solmonese LLC; Getzler Henrich & Associates LLC; McGuireWoods LLP; Miles & Stockbridge PC; Morris, Nichols, Arsht & Tunnell LLP; Pachulski Stang Ziehl & Jones LLP; Polsinelli; and Sherwood Partners, Inc.

Save the date for Aug. 4-6, 2022, when the workshop is slated to return to the Hyatt Regency Chesapeake Bay in Cambridge, Md. More details will be forthcoming; visit abi.org/events for more information.

Midwest Regional Bankruptcy Seminar Returns in Virtual Format



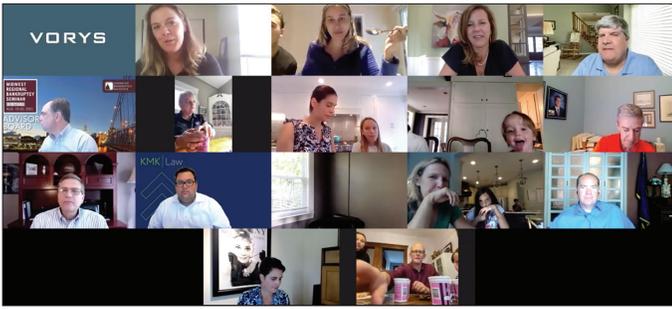
Heather K. Lennox (Jones Day; Cleveland), Andrew M. Simon (Oxford Restructuring Advisors; Cincinnati), W. Timothy Miller (Taft Stettinius & Hollister LLP; Cincinnati) and Damian S. Schaible (Davis Polk & Wardwell LLP; New York) (clockwise from top left) led a panel on out-of-the-ordinary restructuring issues that present themselves in various out-of-court restructuring contexts.

Not many educational programs can claim that they kicked things off with a virtual ice cream tasting — but that's just what ABI's online Midwest Regional Bankruptcy Seminar did on Aug. 18. Attendees sampled several pints of Cincinnati's famous Aglamesis Brothers premium ice cream, sponsored by Vorys, Sater, Seymour and Pease LLP, while networking with regional colleagues ahead of the information-packed sessions on

ABI Members Attend NACTT Conference in Nation's Capital



The annual seminar for the National Association of Chapter 13 Trustees (NACTT) was held in July in Washington, D.C. Among those attending were (from left) Retired Bankruptcy Judge William H. Brown (W.D. Tenn.), Retired Bankruptcy Judge and ABI President-Elect Kevin J. Carey (Hogan Lovells US LLP), outgoing NACTT President Linda B. Gore (Chapter 13 Trustee), ABI President Robert P. Reynolds (Reynolds, Reynolds & Little, LLC) and incoming NACTT President Mary K. Viegelaahn (Chapter 13 Trustee).



Attendees enjoyed a virtual tasting of six pints of Aglamesis Brothers' ice creams, which were shipped to them before the event.

Aug. 19-20. And the food offerings didn't end there: Before the seminar got started the afternoon of Aug. 19, National Automotive Brokerage Solutions sponsored lunch for attendees via Uber Eats coupons. Attendees were also able to connect with each other during a happy hour at the conclusion of the first day's programming.

Nearly 150 professionals in the Cincinnati region participated in panel presentations featuring splits and confounding issues destined for the Supreme Court (moderated by ABI Editor-at-Large **Bill Rochelle**), out-of-the-

ordinary out-of-court restructuring issues, a potpourri of consumer-related automatic stay and discharge injunction violation issues, the disparate treatment of people of color in the bankruptcy process, a BAP discussion in a judicial town hall setting, the continuing economic effects of the COVID-19 pandemic, and a plenary session on subchapter V. Attendees could earn up to 7.75 hours of CLE credit, including up to 1.25 hours of ethics credit and 1.25 hours of ethics professionalism credit.

ABI is grateful to the advisory board, led by Judicial Co-Chairs Hon. **Beth A. Buchanan** and Hon. **Jeffery P. Hopkins** (U.S. Bankruptcy Court (S.D. Ohio); Cincinnati) and Co-Chairs **Ellen Arvin Kennedy** (Dinsmore & Shohl LLP; Lexington, Ky.) and **Jason V. Stitt** (Keating Muething & Klekamp PLL; Cincinnati), for putting together this year's quality programming following the seminar's 2020 hiatus due to the pandemic. ABI also thanks Keating Muething & Klekamp PLL and Squire Patton Boggs for their generous sponsorship of the program.

Session recordings are viewable through Sept. 20, 2021. Check back at abi.org/events for information regarding next year's seminar. **abi**

Members in the News

IT Chicago-Kent College of Law announced that Prof. **Adrian J. Walters** is a recipient of the university's 2021 Michael J. Graff Teaching and Advising Innovation Award. He has been an ABI member since 2005.

Arent Fox LLP announced that **Mary Joanne Dowd** has been selected for inclusion in *Chambers USA* for 2021. Based in Washington, D.C., she has been an ABI member since 1994 and is an advisory board member of ABI's Views from the Bench program.

Rumberger, Kirk & Caldwell, PA announced that **R. Scott Williams** has been recognized in the *Birmingham Business Journal's* 2021 "Best of the Bar" Awards. Based in Birmingham, Ala., he has been an ABI member since 1993 and is a past ABI Vice President-Membership.

Bailey & Glasser LLP announced that **Maggie Burrus** has been selected as a 2021

West Virginia Rising Star. Based in Charleston, W.Va., she has been an ABI member since 2019.

Gray Reed & McGraw LLP announced that **Jason S. Brookner** has been named to *D Magazine's* "Best Lawyers in Dallas" list for 2021. An ABI member since 1995, he is a member of ABI's Board of Directors and a past advisory board member of ABI's Southwest Bankruptcy Conference.

Whiteford, Taylor & Preston LLP announced that **Joshua D. Stiff** has joined the firm as counsel. Based in the firm's new Virginia Beach, Va., office, he has been an ABI member since 2021.

Armstrong Teasdale LLP announced that **Rafael X. Zahradddin-Aravena** has been named a *Pennsylvania Super Lawyer* for 2021. He has been an ABI member since 2000 and leads ABI's COVID-19 Global Economic Response Project. **abi**



Mary Joanne Dowd



Jason S. Brookner

Former ABI Director in Search of a Kidney Donor Following Illness



Lorenzo Mendizabal

My name is **Lorenzo Mendizabal**, and I am 61. I had a career I loved in the professional services market, but it was cut short as a result of polycystic kidney disease. Now I am in need of a kidney transplant. My search for a kidney donor has been difficult. The pandemic has put many non-emergent medical needs on hold. As an only child, I have no siblings as potential donors. I never had any children of my own. A donor is critical to me as I'm unable to work, and travel is almost impossible. The wait for a kidney from a recently deceased person is between 4-5 years in Connecticut, where I live, but recent changes instituted this year as to how organs are sourced will likely increase wait times. In August 2020, my kidneys almost stopped working completely, and I was immediately started on peritoneal kidney dialysis, which I perform every night. Most people have two healthy kidneys but can live a normal life with only one. For that reason, kidney transplants from live donors have become routine. Kidney donors spend 1-2 days in the hospital and can quickly resume normal activities in a couple of weeks. A kidney transplant has a very high rate success (95 percent). A transplant will restore my health and let me resume a productive, meaningful life. A matching kidney would be ideal, but is not necessary. If you donate a kidney on my behalf through the National Kidney Registry, then I would get a compatible kidney, and all costs for hospital and medical care would be covered by my insurance. The potential donor must be 18 years or older, not diabetic and in overall good health. For my full story, please visit nkr.org/mkb667. **Editor's Note:** Mr. Mendizabal joined ABI in 1997 and served on ABI's Board of Directors from 2014-16.

What's Happening at ABI

Join ABI@NCBJ

ABI is pleased to be bringing its educational sessions and annual luncheon to the National Conference of Bankruptcy Judges (NCBJ) this year. NCBJ will be held in person (with a virtual option) in Indianapolis Oct. 5-9. ABI's Education Committee has assembled a great lineup of speakers for its education sessions at NCBJ on Oct. 8. These include the following:

Higher Ed & Charter School Restructuring (CLE)

- **Adrienne K. Walker** (Locke Lord LLP; Boston);
- **Jonathan M. Chirunga** (Amundi Pioneer Asset Management; Boston);
- **Mark Podgajny** (Getzler Henrich & Associates LLC; New York); and
- **Matthew P. Ward** (Womble Bond Dickinson (US) LLP; Wilmington Del.).

Rebuilding After COVID: A Macro View

- **Hon. Deborah L. Thorne** (U.S. Bankruptcy Court (N.D. Ill.), Chicago);
- **Katherine R. Catanese** (Foley & Lardner LLP; New York);
- **Michael J. Epstein** (Deloitte Transactions and Business Analytics LLP; Boston); and
- **Bradford J. Sandler** (Pachulski Stang Ziehl & Jones LLP; Wilmington Del.).

Unsecured Creditors Do Not Need to Be the Losers

- **Hon. Kevin J. Carey** (ret.) (Hogan Lovells US LLP, Philadelphia);
- **Cullen A. Drescher Speckhart** (Cooley LLP; Washington, D.C.);
- **Edward T. Gavin** (Gavin/Solmonese LLC; Wilmington, Del.); and
- **David M. Posner** (Kilpatrick Townsend & Stockton LLP; New York).

Mortgage Modification Programs in Bankruptcy

- **Hon. Karen S. Jennemann** (U.S. Bankruptcy Court (M.D. Fla.), Orlando);
- **Patricia Doyle-Kossick** (Patricia Doyle-Kossick, PLC; Tempe, Ariz.);
- **Igor Roitburg** (Stretto; Evanston, Ill.); and
- **Laurie Kay Weatherford** (Chapter 13 Trustee; Winter Park, Fla.).

ABI will conclude its programming at NCBJ with its luncheon, during which the William J. Norton Judicial Excellence Award, ABI Annual Service Award and ABI Lifetime Achievement Award will be presented. Make sure to sign up for these sessions when you register at ncbj.org.

ABI is also pleased to be hosting the platform for NCBJ's virtual program. ABI will use its innovative and interactive platform to livestream and show featured NCBJ content to virtual attendees. There will also be opportunities for networking throughout the event on ABI's platform. ABI will also be hosting the Wi-Fi on site at the con-

ference, the conference app, session polling and the CLE certificate process. We hope you will join us at NCBJ!

ABI's Consumer Practice Extravaganza to Offer 30-Plus Session Hours, Community Pop-Up Events

Stretching across two weeks, Nov. 1-12, 2021, the Consumer Practice Extravaganza promises to be the largest online gathering of consumer practitioners ever mounted. The event will offer more than 30 hours of programming, which will be organized in three broad tracks.

The Future Track will offer attendees insights into such topics as the future of consumer bankruptcy practice, time-saving technologies and outsourcing of office functions. The Practice Management Track will offer tips on marketing, law firm culture and strategy, and billing and collection. The Bankruptcy 101 Track will provide instruction in the nuts and bolts of consumer bankruptcy, practice tips and many other aspects of consumer practice.

Attendees can select from any track, and conveniently, all sessions will remain available on demand to all attendees for an additional 30 days after the conclusion of the conference. Planning is also underway for community pop-up networking, where practitioners can meet judges and colleagues from their area for in-person gatherings in relaxed, safe settings.

This can't-miss event will also feature a range of special "demo days," showcasing technology and money-saving tools especially designed for consumer practitioners, circuit-specific breakout sessions, and plenaries focused on issues relevant to the entire consumer bench and bar. Experience an online conference like no other you've ever seen and take your consumer practice to an entirely new level!

Learn more at www.cpex21.com. For sponsorship opportunities, please contact ABI Sales Manager **Sharisa L. Sloan** at ssloan@abi.org.

Save the Date for ABI's International Insolvency & Restructuring Symposium: Nov. 18-19

ABI's International Insolvency & Restructuring Symposium returns virtually this year with a strong international lineup. ABI will once again partner with IWIRC, the International Insolvency Institute, The American College of Bankruptcy, TMA Europe and INSOL to host the international insolvency event of the year in Europe. Of course, ABI would prefer to be in London in person, but we have designed a program that will offer premier educational sessions and networking events for attendees from across the globe. With no need to pay for travel this year, we hope many of you who have not yet attended the Symposium will join us this November. Look for more details and registration soon at abi.org/events.



ABI's Diversity Working Group Has Had a Busy Summer



Shanti M. Katona



Michael L. Bernstein

ABI's Diversity and Inclusion Working Group (DWG), led by **Shanti M. Katona** (Polsinelli; Wilmington, Del.) and **Michael L. Bernstein** (Arnold & Porter; Washington, D.C.),

hosted several events and programs this summer. In May and June, the DWG's pipeline subcommittee hosted panels at law schools around the nation, with the goal of introducing diverse law students to bankruptcy/restructuring/insolvency as a career path. Participating law schools included Rutgers, Columbia, Temple, University of Arizona, Penn State Dickinson, LMU Loyola and Pitt. They hope to expand this program as law schools reconvene in the fall.

The subcommittee is also working with other organizations with similar missions to help further their mutual goals, including the Diverse Attorney Pipeline Program, National Conference of Bankruptcy Judges and Just the Beginning — A Pipeline Foundation. The DWG attended or hosted several joint events with these groups in June and July, including programs and networking for bankruptcy judicial externs.

The DWG's inaugural mentoring program also has blossomed over the summer. In May, it hosted an event for mentees and mentors titled "Finding Your Voice." ABI's "40 Under 40" honorees served as speakers on topics of networking/rainmaking, setting and balancing boundaries and navigating alternative careers. After the event, attendees joined the weekly ABI Happy Hour for some networking. In August, the subcommittee hosted a judicial roundtable where bankruptcy judges shared their personal stories and discussed challenges and triumphs with the mentees. There will be more events throughout the year. The DWG is also working on raising the profiles of diverse ABI members.

ABI has updated its profile page for members to provide additional demographics (abi.org/view/profile), and the DWG is helping the education committee to highlight and include more diverse speakers and authors at upcoming ABI events. In addition, the Gender Terminology Subcommittee is organizing a presentation to ABI leadership to educate leaders on pronoun use, gender identity, gender expression and sexual orientation.

This is just a sampling of the DWG's many activities and initiatives. Look soon for the DWG's website to learn more and stay informed.

ABI's Winter Leadership Conference Returns to Terranea

This year's Winter Leadership Conference, set for Dec. 9-11, returns to the spectacular Terranea Resort & Spa in Rancho Palos Verdes, Calif. Perched above the

pounding surf along one of the most beautiful stretches of California's coastline, this popular venue will be the perfect place to reconnect with friends and colleagues, and to network at one of the largest in-person gatherings to date of bankruptcy and insolvency professionals.

The WLC Advisory Board has put together an impressive lineup of informative and engaging sessions, including a spotlight on the most likely industry outlook for 2022, an ethics panel, and a fun interactive game show hosted by ABI Editor-at-Large **Bill Rochelle**. Registration will open soon at abiwlc.org, so watch that space for details on the Winter Leadership Conference. Hope to see you in California!

New abiLIVE Webinars This Month

Three newsworthy topics will be covered in abiLIVE webinars in September. Members can access the recordings at cle.abi.org. ABI committees hold free (for members) webinars year-round. Keep an eye out for future webinars in the *ABI InSights* e-newsletter, delivered weekly to your inbox.

Cryptocurrency: Valuation Issues and Market Volatility

This Sept. 1 webinar, sponsored by ABI's Financial Advisors and Investment Banking Committee, features cryptocurrency industry experts discussing the complexity of valuing cryptocurrency and providing their views on the cryptomarket's volatility, both currently and going forward. The presenters will provide their insights into the adoption of cryptocurrency in the U.S. and globally, and address regulatory changes in banking as they relate to cryptocurrencies.

Facilitation Skills for Subchapter V Trustees

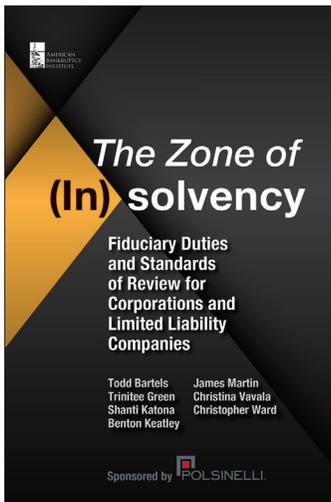
This Sept. 14 webinar, sponsored by ABI's Mediation Committee, will feature subchapter V trustees, lawyers and a retired judge with vast experience in bankruptcy and mediation. The panelists will cover the fundamentals of facilitation — including its purpose — and basic skills trustees may wish to employ in their work.

Degrees of Freedom: How the Courts and Congress Should Address the Dischargeability of Student Loans

This Sept. 28 webinar, sponsored by ABI's Consumer Bankruptcy Committee, will debate how the courts and Congress should address the dischargeability of student loans. The panelists will discuss the prevalence of these cases, as they are increasing daily and courts are asked to evaluate the appropriateness of — and apply — these impossible standards. As the total amount of student loan debt in the U.S. continues to accelerate toward \$2 billion, two consumer bankruptcy experts will explore what can — and should — come next.

New ABI Book Focuses on Fiduciary Duties and the "Zone of Insolvency"

The fiduciary duties of officers and directors of corporations and other alternative business entities has been the topic of much conversation in recent years. In particular, how those duties evolve in the "zone of



insolvency” has taken on a life of its own, and now the mere existence of the “zone of insolvency” is in doubt as under most corporate law, a company is either solvent or insolvent, and its financial status will dictate where the duties of an officer or director lie. *The Zone of (In)solvency: Fiduciary Duties and Standards of Review for Corporations and Limited Liability Companies*, written and edited by ABI Vice

President-Development **Christopher A. Ward** and a team of experienced practitioners at Polsinelli, is a thoughtful analysis of the fiduciary duties of officers and directors of solvent and insolvent corporations and other business entities. This publication will be invaluable to those officers and any practitioner who is helping them navigate the zone of (in)solvency.

This book is available for pre-order now at store.abi.org. Please remember to log in with your ABI credentials to secure member pricing.

CARE Corner

Welcome New Board and Advisory Board Members

Credit Abuse Resistance Education (CARE) is pleased to announce the addition of **Jane Harris Downey** and Dana Kane to CARE’s Board of Directors, and Hon. **Michelle M. Harner** to the Advisory Board. CARE looks forward to their involvement as the organization continues to strengthen and expand its work across the nation.



Ms. Downey is a partner with Moore Bradley Myers Law Firm, PA in Columbia, S.C., and has been certified by the South Carolina Supreme Court as a specialist in bankruptcy and debtor/creditor law since 1996. That same year, the American Board of Certification also certified her as a specialist in business bankruptcy law. She also is certified by the South Carolina Supreme Court as a mediator and arbitrator. Ms. Downey is currently a chapter coordinator for CARE South Carolina. She is also the incorporating attorney, a member of and a past president of the South Carolina Bankruptcy Law Association.

Ms. Kane is special counsel at Kelley Drye & Warren LLP in New York and advises on restructuring, bankruptcy and creditors’ rights. She has represented liquidating trustees, major secured and unsecured creditors, creditors’ committees, debtors and lenders in chapter 11 and 7 cases.

Bankruptcy Judge Harner of the District of Maryland in Baltimore has worked on legal issues associated with corporate governance and financially distressed entities and is a Fellow of the American College of Bankruptcy. She is a member of the American Law Institute and served

as the Robert M. Zinman ABI Resident Scholar in 2015, as well as the reporter for ABI’s Commission to Study the Reform of Chapter 11. Judge Harner is currently a chapter coordinator for CARE Maryland.

Thank You to CARE’s Outgoing Chapter Coordinators

As they step down as leaders of their chapters, CARE’s Board of Directors thanks **Harold D. Israel** (Levenfeld Pearlstein, LLC) of CARE Chicago and Jennifer Pincus (U.S. Department of Justice) of CARE Maine for their service in support of CARE’s mission to prepare the next generation for financial success. The organization is grateful to Harold and Jennifer for their dedication to CARE!

Back to School

This fall, CARE volunteers nationwide will be ready to go back to school. Be a part of CARE’s success with your sponsorship this school year. CARE is focused on giving its chapters the tools needed to increase capacity to deliver programs in local communities. Your support will help chapters improve volunteer recruitment and management, connect with educators in their region and reach underserved populations.

Every gift makes a difference and is leveraged by donated volunteer time. CARE’s goal is to reach young people before they get their first credit card offer. Together, CARE will empower the next generation for financial success. Learn more at care4yourfuture.org/backtoschool.

Thank you to CARE’s wonderful back-to-school campaign sponsors: ECMC Foundation (*Summa Cum Laude*) and Chapman and Cutler, LLP (*Cum Laude*)!

Your Support Matters

“A pandemic changes everything! The financial lives of the families of our students [are] shifting. Each CARE presentation engages students in financial content that they learn thoroughly while participating in the presentation. Students become immediately skilled after a CARE presentation to inform and influence the financial situation of their household.”

— A high school teacher after CARE workshop with her students on Zoom

Show your support of CARE and financial education by becoming a CARE Partner in Education with a monthly donation. Your gift at any level provides a steady stream of income in support of CARE’s mission. Donating monthly is easy: Visit donatetocare.org, fill out the form, and CARE does the rest. Visit care4yourfuture.org/monthly-donations to learn more.

Volunteer with CARE

Are you interested in volunteering with CARE and want to learn more? Visit care4yourfuture.org/events to sign up for CARE’s monthly volunteer information session, which details how to start a chapter or get involved in the chapter closest to you, what volunteering for CARE involves, and how to get started. CARE is already thinking about the 2021-22 school year, so now is the time to get involved.

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 a monthly e-newsletter to learn about CARE's impact across the nation and how you can help. Please visit care4yourfuture.org/sign-up to add your email address to CARE's list.

ABI Endowment Fund Update Tequila-Tasting and Silent Auction at Southeast Bankruptcy Workshop a Success



ABI ventured back into the world of in-person meetings last month with the Southeast Bankruptcy Workshop at The Breakers in Palm Beach, Fla. The Endowment brought its A game to the workshop with two successful fundraising events: a tequila-tasting and a silent auction. Thanks go to **Steven M. Berman** and Shumaker, Loop & Kendrick, LLP for sponsoring the tequila-tasting, which was the perfect way to wrap up Friday's activities. Thanks also go to everyone who participated in the silent auction, which, when combined with the tequila-tasting, raised around \$14,000 for the Endowment.

Southeast Silent Auction Donors: **Christine E. Brimm** (Barton Brimm, PA), **Denise D. Dell-Powell** (Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, PIA), **Kelly Desgrosseilliers** (Epiq), **J. David Folds** (Baker, Donelson, Bearman, Caldwell & Berkowitz, PC), **IWIRC**, **Kristina M. Johnson** (Jones Walker LLP), **Soneet R. Kapila** (KapilaMukamal LLP), **Stephanie Crane Lieb** (Trenam Law), **Jerry M. Markowitz** (Markowitz, Ringel, Trusty + Hartog, P.A.), **Jennifer M. McLemore** (Williams Mullen), **Louis E. Robichaux** (Ankura Consulting Group, LLC), **Ashley S. Rusher** (Blanco Tackabery & Matamoros, PA), **Christopher A. Ward** (Polsinelli) and **Donald A. Workman** (BakerHostetler).

Southeast Silent Auction Winners: **James E. "Jeb" Bailey** (Butler Snow LLP), **Christine E. Brimm** (Barton Brimm, PA), **Paul H. Deutch** (Omni Agent Solutions), Ted Donovan (Goldberg Weprin Finkel Goldstein LLP), **Matthew Dundon** (Dundon Advisors LLC), **Jeffery J. Hartley** (Helmsing, Leach, Herlong, Newman & Rouse, PC), **John B. Hutton** (Greenberg Traurig, LLP), **Jacob Isenberg** (U.S. Bankruptcy Court for the Southern District of Florida), **Soneet R. Kapila**

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If you have something you would like to donate for a future silent auction, please contact ABI Sales Manager **Sharisa L. Sloan** at ssloan@abi.org. Don't know what to donate? Possible items have been selected and are available for purchase under a special ABI Wish List (posted at abi.org/endowment/giving/ways-to-give). Contributing to the silent auctions, either through a donation or a generous bid, is a great way to support the ABI Endowment.

New Endowment Donors Recognized

Benefactor: Hon. **Kevin J. Carey** (ret.)

Hogan Lovells US LLP

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Liquidating Trust: **Development Specialists, Inc.** (*In re Maurice Sporting Goods Inc.*)

Levels of Support for the ABI Endowment

Millennium Level	\$50,000+
30th Anniversary Circle	\$30,000-\$49,999
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Benefactor	\$5,000-\$9,999
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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**

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