

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

May 1, 2012

Bruce D. Mael, Esq.  
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**I.      Profession      Accrediting Agency or Jurisdiction      Date of Admission**

Attorney		
State:	New York State	3/7/90
Federal:	District Court, Southern District of New York	6/26/90
	District Court, Eastern District of New York	6/26/90
	District Court, Northern District of New York	4/22/99
	District Court, Western District of New York	9/22/04
	Bankruptcy Court, Western District of New York	10/21/02
	U.S. Court of Appeals, Second Circuit	10/27/05

**II.      Professional Organizations**

*New York State Bar Association* - Business Law Section, Bankruptcy Committee.  
*Nassau County Bar Association* - Bankruptcy Committee, Eastern District Bankruptcy  
Mediation Subcommittee, Speakers Bureau, Advisor -Mock Trial Competition,  
Alternative Dispute Resolution Committee.  
*Federal Bar Association* - Bankruptcy Section, Contributor - Weekly Circuit Updates.

**III.     General Professional Experience**

I have been practicing in the areas of bankruptcy, real estate, business and commercial law and litigation since 1993, mostly with the firm of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., where I currently chair the firm's Bankruptcy and Creditors' Rights Department. I regularly appear on behalf of clients before the Bankruptcy Court, state and federal trial and appellate courts, and alternative dispute resolution fora. Prior to that I was a senior legal editor at Matthew Bender & Co., Financial Institutions Division, where I researched, wrote and edited materials for publications on banking and commercial law, including bankruptcy, lender liability litigation, asset-based financing, commercial loan documentation and workouts.

#### **IV. Experience and Familiarity with Bankruptcy Law**

I have been practicing in the area of bankruptcy and commercial law since 1993, during which time I have represented creditors, debtors, creditors' committees, trustees and indenture trustees in all aspects of bankruptcy and commercial litigation, including Chapters 7, 11, 12 and 13, focusing on representation of secured creditors and real property owners in commercial Chapter 11 cases. I have prosecuted and defended numerous adversary proceedings, including avoidance of preferences and fraudulent conveyances, discharge and dischargeability actions, and various real estate-related actions.

#### **V. Mediation Training**

I have participated in and completed the following mediation training program:  
Commercial Mediation Training, offered by the New York State Bar Association, Alternative Dispute Resolution Committee, in conjunction with Fordham Law School - 24 hours.

#### **VI. Mediation Experience**

I have represented and participated with clients in mediations, both formal and informal, involving a wide range of areas. In addition, I served on the Eastern District Mediation subcommittee of the Nassau County Bar Association's Bankruptcy Law Committee and participated in the development and enactment of the Eastern District Bankruptcy Court's Local Rule 9019-1.

#### **VII. Areas of Expertise**

Bankruptcy, Creditors' Rights, Secured Transactions, Banking and Finance, Commercial Law and Litigation, Real Estate, Commercial and Residential Mortgage Transactions and Foreclosures.

#### **VIII. General Pertinent Business/Legal Experience**

As head of the Bankruptcy and Creditors' Rights Department at Berkman, Henoch, I oversee all aspects of the department, including client development and relations, financial and budget matters, supervision of junior attorneys, paralegals and other support staff. During my tenure in the publishing field I was responsible for determining subject matter to be revised in or added to existing publications, as well as proposals for new publications. I also negotiated contracts with outside authors writing new publications and revisions to existing publications, and participated in the development and implementation of in-house continuing legal education programs for attorneys and non-attorneys.

#### **IX. Other Pertinent Information**

In addition to my professional experience, I have extensive experience as a Continuing Legal Education instructor for various organizations. I prepare course materials and deliver lectures as part

of continuing legal education courses to attorneys and other professionals in the real estate, banking and finance fields. Courses include the following:

- Nuts and Bolts of Bankruptcy Law – January 2011;
- Protecting the Creditor’s Rights During Bankruptcy – May 2010;
- Real Property Foreclosure: How Bankruptcy Changes the Landscape – July 2009;
- Fundamentals of Small Business Commercial Lending: Resolving Default and Bankruptcy Issues - August 2006;
- Money Matters: Keys to Advising Your Clients During Foreclosure and Repossession Actions in New York – February 2005;
- Commercial Lending in New York: Fundamentals of Loan Documentation, Dealing with Bankruptcy; Ethical Issues and UCC Revised Article 9 – January 2005;
- Revised UCC Article 9 Secured Transactions: What New York Practitioners Need to Know – August 2004.

I have also given an annual lecture as part of continuing legal education courses on Bankruptcy Issues in Landlord/Tenant Cases to attorneys and other professionals in the real estate, banking and finance fields. In addition, I taught a course on drafting bankruptcy documents at Lehman College as part of its paralegal studies program.

In addition, I served on the Eastern District Mediation subcommittee of the Nassau County Bar Association’s Bankruptcy Law Committee and participated in the development and enactment of the Eastern District Bankruptcy Court’s Local Rule 9019-1 and the local forms attendant thereto.

**X. Fee Structure (Compensation and Expense Reimbursement)**

**Fees:** As of May 1, 2012, my hourly rate is \$325.00.

**Expenses:** Reimbursement of actual expenses in conformity with the Guidelines of this Court and the Office of the United States Trustee.

**XI. Pro Bono Preference**

I am available to accept matters in both Brooklyn and Central Islip.