

Chapter 11 Lawyers' Advisory Committee for the Eastern District of New York

Minutes

April 11, 2024, from 5:30 p.m. to 7:30 p.m.

Location of Meeting: Virtual (via Zoom)

I. Chair Update

Chair Sheryl Giugliano opened the meeting. The Chair asked for comments on the minutes of last meeting, there being none, a motion was made for approval of the minutes of the last meeting – the minutes were approved. The Chair welcomed Michael Kwiatkowski to the Chapter 11 Lawyers' Advisory Committee and thanked Thomas Slome and Bonnie Pollack for their invaluable contributions, as their terms have ended. The Chair asked members to consider whether they wanted to switch or join any subcommittees. The Chair asked members to consider whether the Chapter 11 Lawyers' Advisory Committee needed any additional subcommittees.

II. Board of Judges Update

Chief Judge Alan S. Trust then provided an update from the Judges for the U.S.B.C. E.D.N.Y. Chief Judge Trust advised that corporate chapter 11 filings have continued to increase within the district.

III. Subcommittee Reports

- Large Chapter 11 Case Subcommittee. A discussion was had on lender liability transactions.
- Small and Medium Chapter 11 Case. The Subcommittee is working on another webinar focused on Subchapter V updates.
- Mediation Subcommittee. The Subcommittee is considering a workshop in the spring. The Subcommittee is considering creating a survey to send to member of the mediator panel to review the current program and determine if any changes need to be made.
- Courtroom Skills Workshop Subcommittee. The Subcommittee held a workshop in the spring.

IV. Presentation by Michael Kwiatkowski on NY's Foreclosure Abuse Prevention Act.

V. New Business

- A discussion was had on the S.D.N.Y. Local Rules, Pre-Pack Guidelines, and whether the E.D.N.Y. Bankruptcy Court should incorporate its General Orders

and Guidelines into the Local Rules. A discussion was also had on a potential Local Rule on Combined Disclosure Statement & Confirmation Hearings.

VI. Next Meeting Date: TBD

Attendees

Chief Judge Trust

Judge Louis Scarcella

Judge Nancy Lord

Judge Jil Mazer-Marino

Judge Elizabeth Stong

Robert Schmidt

Michelle McGreal

Rachel Albanese

Enid Stuart

Martin Bunin

Mickee Hennessy

Michael Kwiatkowski

Burton Weston

Andrew Thaler

Frank Oswald

Holly Holecek

Marylou Martin

Gerard Luckman

Robert Gavin

Paul Dixon