

Chapter 11 Lawyers' Advisory Committee
for the United States Bankruptcy Court for the Eastern District of New York

Minutes

Meeting Date: January 13, 2016
Location: Garden City Hotel
Attendees: See below

Chair Update and Approval of Minutes:

LAC Chair Thomas Slome ("Chair") opened the meeting and introduced the new members: Marty Bunin, Anthony Guiliano, Mickee Hennessey, Gerry Luckman and Fred Stevens.

The Chair reviewed the Committee's mission statement and provided an overview of the Committee's accomplishments since formation.

The minutes of the October 7, 2015 meeting were approved.

Board of Judges Update:

Chief Judge Craig thanked the outgoing members for their service. Outgoing members are: Melanie Cyganowski, Sal LaMonica, Norma Ortiz, Damian Schaible, and Bruce Weiner.

Chief Judge Craig provided information on Chapter 7, 11 and 13 case filings in the district and variances from last year.

Chief Judge Craig thanked the Committee for their help in formulating and proposing to the Board of Judges guidelines for pre-packaged plans. Those guidelines were adopted by the Board of Judges and are posted on the Court's website. Judge Craig noted that the guidelines are more comprehensive than those adopted in the Southern District of New York as our district's guidelines also address partial prepackaged Chapter 11 cases and Chapter 11 cases with plan support agreements.

Chief Judge Craig discussed the case conference order proposed by the Committee which the Board of Judges expects to adopt. That order would provide for an initial case conference to occur approximately three weeks after the petition date.

Discussion Topics:

Chief Judge Craig addressed the new bankruptcy forms which went into effect December 2015. Sal LaMonica gave an overview of changes from the old forms.

Chief Judge Craig discussed the procedures for lawyers to follow if they discover that a document they filed either should not have been filed or should be partially redacted. Historically, case administrators in the Clerk's Office restricted these documents when attorneys called to request a restriction. Currently, the process is that the case administrator will promptly bring the request to restrict the document to the attention of a Bankruptcy Judge who will promptly determine whether to authorize the restriction. If the restriction is authorized, then the filing attorney is required to promptly file a redacted version of the document.

The Committee addressed the prospect of a lawyer education initiative which will be considered by the Small Chapter 11 Case Subcommittee.

The Committee also discussed the brown bag lunch presentations initiated by the Central Islip Bankruptcy Judges and provided ideas for topics for future presentations. The Committee also discussed the prospect of expanding this initiative to Brooklyn.

Other possible initiatives were discussed, including a mentoring program, early stage case conferences, and continuing legal education.

The Chair reviewed prior presentations given at Committee meetings by voting members and liaison members and encouraged all members to volunteer to make a brief presentation at a future Committee meeting on a topic of interest.

Next Meeting:

The next meeting of the LAC will be on May 4, 2016 at the United States Bankruptcy Court in Brooklyn.

Attendees

Thomas R. Slome, Esq.
Lori Lapin Jones, Esq.
Christine Black, Esq.
Marty Bunin, Esq.
Patrick Thomas Collins, Esq.
Anthony Giuliano, Esq.
Mickee Hennessy, Esq.
Salvatore LaMonica, Esq.
Gerry Luckman, Esq.
Bonnie Pollack, Esq.
Fred Stevens, Esq.
Bruce Weiner, Esq.
Hon. Carla E. Craig
Hon. Nancy Hershey Lord
Hon. Louis A. Scarcella
Hon. Alan S. Trust
Robert A. Gavin, Jr., Clerk of Court
Paul Dickson, Chief Deputy Clerk