

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

Minutes

Meeting Date: July 20, 2022
Location: 660 Franklin Ave., Garden City, NY 11530
Attendees: See below

Chair Update and Approval of Minutes:

Chair Sheryl Giugliano opened the meeting and noted that it was great that the Committee was able to meet in person.

The Chair then 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.

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 court operations will continue to be virtual but noted that some Judges have conducted a number of in-person or hybrid-format hearings. The Court has implemented certain protocols for the safety of those appearing in person and continues to update such protocols based upon local and national guidance.

Chief Judge Trust further advised that the number of filings are starting to pick up.

Small and Medium Chapter 11 Case Subcommittee Update:

Bonnie Pollack provided a summary of the Subchapter V working group's March 11, 2022 webinar scheduled, on the procedural issues in a Subchapter V case. Bonnie Pollack moderated the webinar with Sheryl Giugliano, Christine Black and Evan Zucker as panelists.

Large Chapter 11 Cases Subcommittee Update:

None.

Mediation Subcommittee:

Leslie Berkoff, Co-Chair of the Mediation Subcommittee, reported on a number of upcoming mediation trainings. Leslie reported that on July 27, 2022, the Mediation Subcommittee will hold a virtual brown bag lunch will explore in a brief vignette style with some discussion overlay, how and when disputes can be sent to mediation. The panel members will explore some of the concerns and questions that parties may work through in considering mediation as an option to resolve a pending dispute. Panelists will include Judge Stong, Judge Scarcella, Leslie Berkoff, Mickee Hennessy, Lori Schwartz and Andrew Thaler.

Junior Lawyers Initiative Subcommittee:

It was reported that there were virtual and in person sessions conducted in June 2022. The Committee is considering whether the sessions should be conducted in a hybrid in-person/virtual format as updating some of the motions used during the session.

General Discussions:

Judge Mazer-Marino and Jerry Luckman reported on the July 19, 2022 brown bag lunch on financial literacy including interpreting and reading financial statements. Panelists included Judge Mazer-Marino, Jerry Luckman, John Gervais, and Brian Ryniker.

Old Business:

None.

New Business:

Chief Judge Trust lead a discussion concerning whether the mission of the Committee has evolved and how can the Committee continue to assist the Court and members of the bar in ensuring the fair and efficient administration of Chapter 11 cases.

Next Meeting Date:

Schedule TBD.

Attendees:

Cindi M. Giglio, Esq.
Leslie A. Berkoff, Esq.
William E. Curtin, Esq.
Sheryl P. Giugliano, Esq.
Lori Lapin Jones, Esq.
Frank A. Oswald, Esq.
Gerard R. Luckman, Esq.
Bonnie Pollack, Esq.
Andrew M. Thaler, Esq.
Burton S. Weston, Esq.
Evan J. Zucker, Esq.
Christine H. Black, Esq.
Thomas Slome, Esq.
Anthony Giuliano, Esq.
Dawn Kirby, Esq.
Fred Stevens, Esq.
Hon. Alan S. Trust
Hon. Elizabeth S. Stong
Hon. Jil Mazer-Marino
Paul Dixon