

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

Minutes

Meeting Date: June 26, 2014
Location: Brooklyn Law School
Attendees: See below

Board of Judges Update:

Chief Judge Craig ("CEC") introduced and welcomed the newest member of the Chapter 11 Lawyers' Advisory Committee ("LAC"), United States Bankruptcy Judge Louis Scarcella.

CEC stated that the Court will launch a new website in July 2014. She indicated that the website will include the same information, but in a different, more user-friendly format. Clerk of Court Robert A. Gavin, Jr. and CEC encouraged LAC members to provide feedback on the website and format.

CEC provided an overview of case filings in the Eastern and Southern Districts of New York and in the District of Delaware for the years 2012, 2013, and the first quarter of 2014.

Chair Update:

LAC Chair Thomas Slome ("Chair") reviewed the format for minutes of LAC meetings, and the minutes of the March 2014 meeting were approved.

The Chair urged LAC members to identify and bring issues of interest to the LAC for consideration, and reminded LAC members who are active in other organizations, including bar associations, to make those organizations aware of the LAC.

The Chair noted that LAC membership should reflect the diversity of the bar engaged in Chapter 11 practice in the Eastern District of New York and observed that the LAC will continue to take into account diversity on many levels.

Subcommittee Reports:

By-Laws Subcommittee. Subcommittee chair Bonnie Pollack ("BP") reported that the Subcommittee recommends that the LAC adopt by-laws. The By-Laws Subcommittee reviewed by-laws adopted by other organizations, as well as committee by-laws, and prepared draft by-laws for the LAC. BP reviewed several considerations taken into account by the Subcommittee in preparing certain provisions of the draft by-laws. Draft by-laws will be circulated to the full LAC for comment. The By-Laws Subcommittee is comprised of BP, Patrick Collins and Robert Schmidt.

Large Chapter 11 Case Subcommittee. Subcommittee co-chairs Robin Keller ("RK") and Leslie Berkoff ("LB"), reported that the Subcommittee has identified the adoption of guidelines for prepackaged plans and claims agent protocols as projects of interest. The LAC discussed the scope of prepackaged plan guidelines, the need for guidelines, and the form such guidelines should take. The LAC agreed that the Subcommittee should continue its work on these topics. Lori Lapin Jones ("Vice Chair") reported on claims agent protocols in the Southern District of New York and the District of Delaware and led a discussion on whether similar guidelines should be adopted in the Eastern District of New York. The

LAC agreed that the Subcommittee should continue work on this topic as well. The Large Chapter 11 Case Subcommittee is comprised of RK, LB, the Vice Chair, Burt Weston, Shaunna Jones and Christine Black.

Middle Market, Small Business and Individual Chapter 11 Cases Subcommittee: Subcommittee co-chairs Bruce Weiner (“BW”) and Norma Ortiz (“NO”) reported on the Subcommittee’s efforts to identify topics of interest and led a discussion on how the Subcommittee may help identify and develop methods and tools to improve and streamline the administration of middle market and small business Chapter 11 cases. Protocols, training, checklists, and early status conferences were among the various strategies discussed. The LAC agreed that the Subcommittee should continue to explore these areas, and should consider whether guidelines may be developed to simplify and enhance practice in this area.

Other Matters:

The LAC agreed to discuss the topic of plan mediation at its next meeting.

The date of the next meeting has been moved to September 9, 2014. The location will be announced.

Attendees

Thomas R. Slome, Esq.
Lori Lapin Jones, Esq.
Leslie A. Berkoff, Esq.
Patrick Thomas Collins, Esq.
Melanie L. Cyganowski, Esq.
Robin Keller, Esq.
Norma Ortiz, Esq.
Bonnie Pollack, Esq.
Damian S. Schaible, Esq.
Bruce L. Weiner, Esq.
Burton Weston, Esq.
Bonni Perlin, Esq.
Hon. Carla E. Craig
Hon. Nancy Hershey Lord
Hon. Elizabeth S. Stong
Hon. Louis Scarcella
Robert A. Gavin, Jr., Clerk of Court
Paul Dickson, Chief Deputy Clerk