

FBAnewsletter^{spring 2020}

Federal Bar Association - Eastern District of Michigan Chapter - 62 years of service to our Federal Bench and Bar

Bankruptcy Judge McIvor Retires

On January 30, the legal community in Michigan came together to honor Bankruptcy Judge Marci B. McIvor's retirement from the bench with a dinner event at The Rattlesnake Club in Detroit.

Judge McIvor served tirelessly on the bankruptcy bench in the Eastern District for over 20 years and also served on the Bankruptcy Appellate Panel for the Sixth Circuit. Prior to her time on the bench she was an attorney at the Michigan Attorney General's office. She will be remembered as a judge who treated everyone who appeared before her with respect, had a great judicial temperament, and wrote excellent opinions.

(continued on page 2)



Judge McIvor (third from left) and her husband, Daniel Bretz, paused for a photograph with their family during her retirement celebration, including Emily Bretz, James Bretz, Allison Bretz, and Joe Stelmark.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

INSIDE THIS ISSUE	
Dave Weaver	pg. 2-3
Harbaugh Keynotes McCree Luncheon	pg. 3-4
So You Want to Play in the Big Leagues!	pg. 4-6
Access to Bankruptcy Court 10th Anniversary	pg. 6-7
Luncheon Sponsors	pg. 7-8
Shapero Cup	pg. 8
Bankruptcy Committee Hosts Northern Event	pg. 8
CARES Act Webinar	pg. 8
Sustaining Members Reception and List	pg. 9-11
Calendar of Events	pg. 11



President's Column

Matthew J. Lund

What a difference a day makes! As I write this, I (like most all of you) am beginning my fourth week of working remotely, and am

looking at more time yet to come. Despite some "cabin fever," there are bright moments each day. I am inspired on my evening walks by the encouraging words written in sidewalk chalk by the neighborhood kids. And I am rather enjoying the ability to spend all of this time with my family (not sure if the feeling is entirely mutual, but I have not been voted off the island thus far).

While the telecommuting has its frustrations, I am sure we would all agree that what matters most is staying safe and staying well.

When the quarantine began, all of us in the legal community watched as our scheduled events were adjourned or cancelled. After the Chapter determined it necessary to include the Gilman luncheon on that list, our Executive Director, Mindy Herrmann stepped in and made the point that the Chapter should actually be doing things instead of just cancelling them.

I credit Mindy for this great idea. Over the course of a weekend we got to work, and both Chief Judge Denise Page Hood and Bankruptcy Chief Judge Phillip J. Shefferly agreed to participate in a Zoom forum to discuss the impact of the current situation on District Court and Bankruptcy Court proceedings.

We held the event on March 25, and more than 75 Chapter members participated from their dens, family rooms, and kitchen tables. It was remarkably refreshing to see everyone again,

and we are most grateful to the Chief Judges for their commitment to the bar and their willingness to participate and answer all of our questions.

As the quarantine continues, so will our

(continued on page 2)

WINNER 17 YEARS National FBA Outstanding Newsletter A w a r d

President's Column (continued)

remote programming. On April 9 the Chapter hosted a virtual happy hour, and the following day the Bankruptcy Committee hosted its program: "Insolvency Issues in the Wake of COVID-19 and the CARES Act" with more than 400 Chapter members in virtual attendance.

Looking back on what seems like an eternity ago, I am most pleased to report on a truly successful McCree Luncheon. Over 300 people attended on February 26, making it the largest event in recent Chapter history. Judge Avern Cohn received the McCree Award after presentations by Richard Grauer and former Chief Judge Gerald E. Rosen. Judge Cohn's longtime career law clerk Kim Altman accepted the award on Judge Cohn's behalf, sharing both the Judge's remarks and her own.

We were joined by keynote speaker Jim Harbaugh, who spoke about access to justice. When not on the field, Coach Harbaugh serves on the Leader's Council of the Legal Services Corporation, an organization that promotes equal access to justice and provides grants for civil legal assistance to low-income Americans. Coach Harbaugh is a vocal proponent for equal access to our court system by all, regardless of financial means, and his words were truly fitting for the social justice theme of the luncheon. He was a most gracious guest, and spent time meeting and speaking with our members long after the luncheon concluded.

In addition, we presented the very first Chapter Recognition Awards. Instituted as a new program this year, up to six awards are conferred by the Chapter President to recognize those who go "above and beyond" through orchestrating educational programs, performing outstanding committee work, or demonstrating personal innovation and commitment to the Chapter. The inaugural award recipients were Andrew Lievense and Christina Farinola who we recognized for their outstanding and tireless work on this newsletter.

The 2020 McCree Luncheon was truly a great event, and a warm day to reflect upon as we plod through the coming weeks.

Stay home and stay well. And when you are able, please participate in one of our virtual programs. We will all get through this!

Judge McIvor (from page 1)

While on the bench, Judge McIvor championed the formation of a unique debtor assistance program, the Access to Bankruptcy Court (ABC). The ABC, a 501(c)(3) organization, raises funds to help indigent debtors obtain representation. In recognition of Judge McIvor's dedication to the organization, her retirement dinner was also a fundraiser, and the net proceeds from the dinner benefited the ABC.



Lisa Gretchko, Steven Howell, Chief Judge Denise Page Hood, Bankruptcy Chief Judge Phillip J. Shefferly, Judge McIvor, Lawrence Garcia, Judy Miller, Paul Hage, Judge Nancy G. Edmunds, and Dan Weiner.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

At the dinner, Chief District Judge Denise Page Hood and Chief Bankruptcy Judge Shefferly honored Judge McIvor's service to the court. Her family, friends, fellow Judges, and court staff also honored her service, her legacy, and her good works both on and off the bench.

Judge McIvor recently moved to Florida and is looking forward to many rounds of golf and spending time with her family.



Dave Weaver Court Administrator / Clerk of Court

Well, here I sit in my snazzy home office where I have been working for over a month now. I want desperately to write about something other than COVID-19, but it has and will continue to be all consuming for a while yet.

One of my greatest challenges as Court Administrator has been the creation and maintenance of a continuity of operations plan (COOP) for the Court to use in the case of a dire emergency. Over the years, it has been difficult to maintain a focus on our COOP Plan because really, what happens here? While we may get the occasional ice storm or power outage, we don't get earthquakes (not big ones anyhow), no hurricanes, wildfires, or volcanos. I did worry when H1N1 was making its threat some years ago, and I even drafted a pandemic annex to our COOP Plan. That was the time I first heard the phrase "social distancing." Little did we know.

And now ... this, a global pandemic, threatening every person on the planet. That interesting phrase, "social distancing" is back front and center. And another phrase has emerged, one that we hear every day now, "flattening the curve", which as we all now know, is why social distancing is so important.

The Eastern District, like all courts across the country, is doing its part in carrying out its constitutional responsibilities. In our effort to physically distance and "flatten the curve," all judges and staff are working remotely. Though many proceedings have been suspended, we are working diligently to do our work using technologies old and new, and strive to find a new acceptable normal. One thing is certain, our work, your work, and the operation of all courts is forever changed.

And that COOP I have worried so much about? Well we have one, however the immensity of this crisis will probably lead to a pretty substantial rewrite! What is most

important is that every judicial officer and every member of the Court's staff has risen to admirable heights in response to this crisis. We are all working harder than we ever have to keep things moving, at times in light of personal tragedy. To the bar, the public, our judicial officers and staff, your patience, cooperation and willingness to adapt to such extreme circumstances has been truly incredible. Thank you all.

At this point, I usually add, please contact me with any comments, questions or suggestions. I really do mean it. The task of going forward

and getting past this threat will require the assistance and suggestions of so many people. So really, if you have any suggestions or comments please contact me at: david_weaver@mied.uscourts.gov.



Coach Harbaugh providing his remarks at the McCree Luncheon.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

Coach Harbaugh Keynotes McCree Award Luncheon

On February 26, the Chapter hosted the Wade Hampton McCree Jr. Award Luncheon for the Advancement of Social Justice at the Atheneum Suite Hotel. The nationally-recognized McCree Award is given annually to an individual or organization who has made significant

contributions to the advancement of social justice.

Chapter President Matthew Lund launched the event with opening remarks and introduced keynote speaker Jim Harbaugh, football coach at the University of Michigan. Harbaugh, the sixth former Michigan football player to become coach in 2014, has impressive coaching

records at the college and professional levels. As a player at Michigan, Harbaugh was one of the most efficient passers in NCAA history. He went on to play for five different organizations during his 15-year career in the NFL. Jim's father Jack, who also attended the luncheon, served as an assistant football coach at Michigan from 1973-79.

In the spirit of the McCree Award, Harbaugh's keynote address focused on his passion for equal access to justice. Since 2016, Harbaugh has served on the Leaders' Council of the Legal Services Corporation, which raises public awareness for the

importance of equal access to justice for low-income Americans.

In that capacity, Harbaugh travels around the country—including to Washington, D.C. to testify before Congress—advocating for Americans who need legal aid.

(continued on page 4)



The McCree family gathered with attendees at the luncheon, including (back row, l-r) Cynthia Haffey, Leslie Magy, Lauren McCree, Genet Barthwell, Katrina McCree, Matt Lund, former Chief Judge Gerald E. Rosen, Kimberly Altman and (seated) Wade Harper McCree, and James McCree.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

McCree (from page 3)

Drawing a connection between football and social justice, Harbaugh analogized unrepresented litigants to football players without protective gear and helmets, urging that everyone should have access to adequate legal help.

After Harbaugh's address, former Chief Judge Gerald E. Rosen announced the McCree Award recipient alongside Cynthia Haffey of the Award Committee and Richard Grauer. Judge Rosen had nominated this year's award winner: Judge Avern Cohn, who recently retired from the District Court. Judge Cohn, like Harbaugh, graduated from the University of Michigan; Cohn received his J.D. from the University of Michigan Law School in 1949.

Kimberly Altman, longtime law clerk for Judge Cohn, accepted the award on his behalf because Judge Cohn was unable to attend. Altman delivered a speech prepared in

advance by Cohn, in which he expressed gratitude for being chosen to join the ranks of previous award recipients George Crockett, Dennis Archer, William Milliken, Damon Keith, and Carl Levin. Cohn, a Detroit native, served as a federal judge for 40 years. Before that, he served on the Michigan Social Welfare Commission, the Michigan Civil Rights Commission, and the Detroit Board of Police Commissioners. Along with his dedication to community activism and the advancement of justice, he is known for his intellect, curiosity, and unbelievable vigor, carrying a full caseload

until his recent retirement at the age of 95! While Judge Cohn was unable to attend, two of his children, Sheldon Cohn and Leslie Magy, attended the luncheon.

The McCree Award is named for Judge Wade Hampton McCree Jr., who began his legal career in Detroit after graduating from Harvard Law School. McCree served on the Wayne County Circuit Court and was appointed by President John F. Kennedy to the U.S. District Court in 1961. In 1966, President Lyndon B. Johnson appointed McCree to the U.S. Court of Appeals for the Sixth Circuit. McCree accepted an appointment to U.S. Solicitor General by President Jimmy Carter in 1977. After service as Solicitor General, McCree taught at the University of Michigan Law School until his death in 1987. Judge McCree was renowned for his passion for education, service to the legal profession, and service to the Detroit community.

In addition to the McCree Award presentation, the luncheon honored the first Chapter Recognition Awardees. Recipients, chosen by the sitting Chapter President, are those who demonstrate outstanding contributions to the Chapter. This year, Lund presented the Award to Andrew Lievense, Assistant U.S. Attorney, and Christina Farinola, career law clerk to Hon. Anthony P. Patti, for their years of service to the Chapter's newsletter. Both received a Chapter recognition coin and one-year Sustaining Membership.

So You Want to Play in the Big Leagues!

By Susan Pinkowski*

Welcome to the Eastern District! Whether you are a new attorney or just new to this Court, there are some

> procedures, practices, and rules that it will behoove you to know.

If you haven't already done so, please read the Local Rules and the Electronic Filing Policies and Procedures. You will also be expected to be familiar with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and

the Rules of Evidence.

Another valuable source of information may be gleaned from the Practice Guidelines on the Court's web page for the particular judge on your case. While we are normally all in the

same courthouse, judges have different ways of handling matters so it would be in your best interest to learn their ways.

Beyond what is listed above, here are some suggestions, in no particular order, to help you navigate the policies and procedures in our Court:

- Before you call or email chambers with a question, please look at the docket. Often you will find what you are looking for there, which will save both you and the case manager time. Also note that when you do call, we really only need the year and fivedigit case number, i.e., 19-12345. We do not need the number before the year, the -cv- or -cr- (civil or criminal case), nor the initials of the judge or magistrate judge at the end.
- While we don't have motion fees, the one thing you must do before filing almost any motion is to seek concurrence from opposing counsel. Your best bet is to set out the language in your motion as it is reflected in the applicable local rule after



Fred Herrmann, Matt Lund, Chief Judge Denise Page Hood, Jim Harbaugh, Mindy Herrmann, Saura Sahu, Jennifer Newby, and George Donnini at the McCree Luncheon.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

- you have completed those actions. Motions may be dismissed if that language is not in there.
- · Know the required font size, margins, and page limitations for any document you efile. If a briefing schedule is not issued by the judge, use the time found in the local rules.
- · When efiling shorter motions that don't have an index and/or appendix, you may use the caption only once and continue the brief after the signature block on the motion.
- It is always a good idea to use the full caption on every document you efile. If you are submitting a stipulation to dismiss one defendant and only one defendant is listed, your whole case may inadvertently be dismissed if someone misses that little 'et al'! Some judges require the full caption on every document efiled.
- If you have resolved a motion in advance of a hearing or settled a case, please notify chambers immediately so we may happily stop working on it. Failure to do that is the bane of a law clerk's existence.
- If you file an emergency document, please follow up with a call to chambers. (But try not to do either of those on a Friday at 4:30 pm!)
- Be careful when submitting voluminous materials to chambers. There are rules about how documents are to be bound. Never bind across the top edge. This makes it very difficult for the reader further into the document. If a document can easily be stapled, please don't put it in a three ring or other

- kind of binder. We do not have a lot of file drawer space. If you do use the ACCO thin metal binders that go in two-hole or three-hole paper, please be sure you press down hard to compress the paper totally, and fold over the metal so it lays flat, and slide the clips over the tip. Improperly done, those metal edges are dangerous. We are running out of band-aids!
- We will always be polite to you, so please be polite to us. Unless you really make us mad, then we will transfer you to our supervisor!
- Always wear proper business attire to court. If an in-chambers event is scheduled at the last minute and you are caught unaware and improperly dressed, contact chambers for permission to attend
- Determine if the assigned Judge's chambers prefer to communicate by email or phone call (some may say both) and please act accordingly. Note that email may be preferred because even if we are in court we may be able to answer your inquiry.
- · When communicating with chambers, always give the case number and plaintiff's last name before you ask your question. If it's just a generic question, say so right away.
- Determine in advance how the assigned Judge prefers to handle stipulations and orders. (Some allow both via Utilities; some like stipulations on the docket and orders via Utilities; some need just the stipulations on the docket.)

(continued on page 6)



Exceptional attorneys always look for an edge. ASG provides actionable intelligence your opponent won't have. You don't need a New York or DC agency charging you New York and DC rates to get deep, verified, actionable intelligence; ASG is a real Private Intelligence Agency right here in Metro-Detroit.

- Deep Internet Profiles
- Real-Time Juror Profiles
- Surveillance
- Background Intelligence Dossiers
 Intellectual Property Investigations
 - Corporate Investigations
 - Locate Investigations
 - Domestic and Foreign Due Diligence

BACKGROUND CHECKS INTELLIGENCE • INVESTIGATIONS

888-677-9700 | ASGInvestigations.com

Big Leagues (from page 5)

- If you are extending time to efile something, please put in the motion or stipulation the current due date in addition to the new due date you would like, or the amount of time you need (i.e., 30 days, 60 days).
- Determine if the assigned Judge wants hard copies as a general rule or in specific circumstances. The court rules require that you send in a hard copy of any dispositive motions, responses and replies, but check if your Judge has a "paperless" chambers, as they may not want/need hard copies.
- Please read the specific court rule you have a question about before calling chambers, and note that we cannot give you legal advice, only procedural information.
- Please do not efile Notices of Hearing. That is a state court practice. Also, the "at a session" language after the order title is also a state court practice so please do not include it here.
- Do not separately efile a certificate or proof of service on discovery materials. If you need to file proof that you served someone during the case, consider calling it an affidavit of service so it won't be struck by the clerk's office.
- Note that we usually do not have legal size paper in our printers and copiers, if at all possible, please make sure that all your exhibits fit on an 8.5 x 11 sheet of paper.
- Do not interrupt the Judge or a witness while he/she is speaking ever. The court reporter can only take down one speaker at a time and you probably will not be the winner. Also, be aware that court reporters sometimes cannot take down every word you say if you are talking at 400 w.p.m., and the record might not be perfect.
- Do not be late, whether the proceeding is in the courtroom or chambers; if something happens last minute which will delay you, please call chambers immediately to inform them of the delay. Another case may go in your absence to keep the calendar moving.
- When leaving voice mail messages, speak clearly and at a reasonable pace, giving your name, phone number, the case number, the case name and then what you are calling about. Repeat your phone number at the end.
- Please do not wear so much cologne that it fills up a room. Many people have sensitivities and allergies.

*Susan Pinkowski, Case Manager to Honorable David M. Lawson Hard copies all the time. Emails preferred.

Access to Bankruptcy Court Celebrates Tenth Anniversary

The Eastern District is home to a unique access to justice program that helps provide experienced bankruptcy counsel, free of charge, to low income individuals who reside in the district. The Pro Se Bankruptcy Assistance Project, which does business as Access to Bankruptcy Court ("ABC"), is a 501(c)(3) organization that was founded in 2010 by the recently retired Bankruptcy Judge Marci B. McIvor and leaders of the Eastern District bankruptcy bar. The organization is proudly celebrating its tenth anniversary this year.

It is an unfortunate reality that many of the individuals in our community who are most in need of a fresh start under the country's bankruptcy laws are unable to afford such relief. Because the filing of a chapter 7 bankruptcy case generally requires an individual to pay certain legal fees and costs up front, low-income debtors will frequently have no choice but to file their bankruptcy case pro se. In the Eastern District, nearly 1,500 chapter 7 bankruptcy cases are filed pro se each year.

The bankruptcy process is not an easy one to navigate and the consequences of a debtor failing to follow procedures or meet deadlines can be serious. Pro se chapter 7 debtors are far less likely to successfully obtain a discharge of their debts. In addition, pro se debtors struggling to prosecute their own cases create significant challenges for the court, trustees tasked with administering such cases, and other parties in interest.

After her appointment to the bench in 2003, Judge McIvor became very concerned about the number of pro se debtors appearing in her courtroom. This concern increased with certain amendments to the Bankruptcy Code that were passed in 2005 and made navigating chapter 7 substantially more difficult. Making matters worse, most of the local legal services organizations did not have resources available to assist clients in bankruptcy cases.

In an effort to address this problem, Judge McIvor organized a group of leaders in the local bankruptcy community to create ABC. "We were concerned about the number of debtors who were unable to afford legal representation," stated Judge McIvor. "It is an access to justice issue. Individuals who have money can afford a lawyer and can take advantage of the protections provided by the Bankruptcy Code whereas those who cannot afford a lawyer frequently cannot. It felt like we as a legal community could do better by such individuals."

ABC provides experienced counsel to low income individuals in need of bankruptcy relief who otherwise might have no choice but to seek relief pro se. An individual whose household income is at 150% of the poverty level or below can apply for a free bankruptcy attorney through ABC. A committee of ABC volunteer board members reviews the individual's application to ensure that he or she qualifies and, if so, matches him or her to a volunteer

panel attorney. Over 40 highly experienced members of the local bankruptcy bar serve as panel attorneys for ABC and agree to handle ABC cases for a substantially reduced rate which is paid by ABC. The individual receives high-quality bankruptcy representation, free of charge, and the case generally moves through the bankruptcy court process without unnecessary issues or delays.

ABC also has an educational component. It partners with the Western Michigan University Thomas M. Cooley Law School and the Wayne State University Law School to pair law students who are interested in bankruptcy law with the ABC panel attorneys and the individual applicants. Students get valuable experience assisting panel attorneys with, among other things, client interviews and petition preparation.

ABC has produced very good results. Over the past three years alone, the organization has referred approximately 650 applicants to panel attorneys. The discharge rate in those cases that are filed is over 90%. Unique to our district, ABC has become a model for other districts in the federal judicial system who are struggling to address the problem of pro se debtors in bankruptcy.

ABC raises funds for its efforts by soliciting donations from law firms, foundations and local and national bar organizations. Recently, the Pro Bono Committee of the American College of Bankruptcy Foundation awarded ABC a \$10,000 grant to help support its efforts. Additionally, as a State Bar of Michigan Pro Bono Partner program, ABC is eligible for donations from lawyers seeking to fulfill their pro bono public interest obligations under Michigan Rule of Professional Conduct 6.1.

ABC's annual fall fundraiser, which was recently renamed "The Hon. Marci B. McIvor Annual Fundraiser for Access to Bankruptcy Court" in recognition of Judge McIvor's retirement from the bench, has become the social event of the year in the local bankruptcy community. This year's fundraiser, which will double as a tenth anniversary party, will be held on September 24 at the Southfield offices of Jaffe Raitt Heuer & Weiss, P.C.

ABC is an important access to justice program that emanated from the commitment of Judge McIvor and others to improve the justice system and make bankruptcy accessible to individuals who need relief, but who cannot afford counsel. Reflecting on the success of ABC over the past decade, Judge McIvor stated, "One of the most satisfying aspects of serving on the bench was being in a position to help create ABC and seeing it survive for over a decade. I feel very fortunate to be a part of this program, which provides such a benefit to people who are in need of legal representation."

For more information about Access to Bankruptcy Court, please contact Paul R. Hage at phage@jaffelaw.com.

Luncheon Sponsors

The Eastern District of Michigan Chapter of the Federal Bar Association gratefully acknowledges the following sponsors of the 2019-2020 Luncheon Program:

United States District Court

Altior Law, PC

Andrew J. McGuinness, Esq.

ASG Investigations

Avalon

Barris Sott Denn & Driker, PLLC

Behm & Behm Law Firm

Bodman

Brooks Wilkins Sharkey & Turco, PLLC

Bush Seyferth PLLC

Butzel Long

Certified Service Professionals

Clancy Advisors PLC

Clark Hill PLC

Crawford & Winiarski Financial Consulting, LLC

Darrow Mustafa PC

Dickinson Wright PLLC

Dykema Gossett PLLC

Fagan McManus, PC

Foley & Lardner LLP

Freedom Law, PC

Garan Lucow Miller PC

Hickey Hauck Bishoff & Jeffers, PLLC

Honigman, LLP

Howard & Howard Attorneys PLLC

Hoyer Law Group, PLLC

Jaffe, Raitt, Heuer & Weiss, PC

JAMS LLP

Johnson Law, PLC

Jones Day

Kerr Russell & Weber, PLC

Kienbaum Hardy Viviano, Pelton Forrest, PLC

Kitch Drutchas Wagner Valitutti & Sherbrook, LLP

Law Office of Rabih Hamawi, PC

Law Offices of Robert June, PC

Liss Seder & Andrews, PC

Lyngklip & Associates Consumer Law Center, PLC

Mansour Law, PC

Miller, Canfield, Paddock & Stone PLC

Miller Law Firm, PC

Murray Law Group

Nacht Law, PC

Nova Legal Funding

Ogletree, Deakins, Nash, Smoak & Stewart, PC

Pastor & Associates, PC

Pepper Hamilton LLP

Pitt McGehee Palmer & Rivers PC

Plunkett Cooney, PC

Salvatore Prescott & Porter, PLLC

Luncheon Sponsors (from page 7)

Sommers Schwartz, PC
Spectrum Computer Forensics and Risk Management LLC
Sterling Attorneys at Law, PC
Stout Risius Ross, LLC
Sullivan, Ward, Asher & Patton, PC
University of Detroit Mercy School of Law
Varnum LLP
Warner Norcross & Judd LLP
Weitz & Luxenberg
Wolfson Bolton PLLC

Shapero Cup

The Second Annual Shapero Cup Moot Court Competition was held on February 17 at the Eastern

District Bankruptcy Court. The Shapero Cup is a regional moot court competition to prepare students for the Duberstein Moot Court Competition held in New York in March.

The American Bankruptcy Institute has partnered with the Walter Shapero Symposium, a non-profit entity devoted to the presentation of scholarly bankruptcy law events, to co-sponsor the annual regional competition for law schools in the Sixth Circuit that are sending teams to the Duberstein Competition.

This year ten teams from across the Sixth Circuit

participated and the team from the University of Michigan Law School took top honors.

The Shapero Symposium was formed in honor of retired Bankruptcy Judge Walter Shapero, who served as a bankruptcy judge in the Eastern District for 28 years and established a lasting legacy of scholarly jurisprudence.

Bankruptcy Committee Hosts Event in Northern Division

On February 20, the Chapter's Bankruptcy Committee held a double header event at Zehnder's in Frankenmuth. The program included a seminar on the new subchapter V of Chapter 11 of the Bankruptcy Code, the Small Business

Reorganization Act (SBRA). Following the seminar the Chapter hosted a reception and dinner featuring the State of the Bankruptcy Court for the Northern Division.

The SBRA is designed to streamline small Chapter 11 cases to allow for a faster and less expensive bankruptcy process for case confirmation. The panelists at the seminar included Judge Daniel S. Opperman, Judge Joel D. Applebaum, Assistant United States Trustee Paul Randel, and Rozanne Giunta from Warner Norcross.

The SBRA enactment could not have been more timely given the economic impact of the coronavirus. The recently enacted CARES Act increased the debt limit in the SBRA to \$7.5 million for a year to give even more businesses the opportunity to reorganize quickly and with less expense.

After the seminar, attendees gathered for a reception and dinner where Chief Judge Phillip J. Shefferly and Judge Opperman provided an update on Court operations.

Both portions of the event were extremely well attended and included many bankruptcy attorneys from throughout

the district. The event was cosponsored by the Chapter and the Northeastern Michigan Bankruptcy Bar.



Bankruptcy Judge Daniel S. Opperman, retired Bankruptcy Judge Walter Shapero, Lisa Gretchko, and Steve Gross at the Shapero Cup Moot Court Competition.

Photo by John Meiu, courtesy of Detroit Legal News Publishing LLC.

CARES Act Webinar Held

On April 10, the Chapter's Bankruptcy Committee hosted a Zoom webinar entitled "Insolvency Issues in the Wake of COVID-19 and the CARES Act." The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was passed in the wake of the Coronavirus pandemic.

Moderated by Bankruptcy Judges Daniel S. Opperman (Bay City) and Joel D. Applebaum (Flint), the program was a deep dive into the bankruptcy-related provisions of the CARES Act and included a discussion of strategies for advising clients dealing with the financial effects of the COVID-19 crisis.

Attendees were able to submit questions to panelists both in advance and during the webinar. The panel was comprised of Thomas DeCarlo of the Office of the Chapter 13 Trustee David Wm. Ruskin, Marcy Ford of Trott Law, Paul R. Hage of Jaffe Raitt Heuer & Weiss, and Ford J.H. Turrell of Warner Norcross + Judd.

Over 400 members of the local bar remotely attended the event. A recorded version of the webinar will be made available on the Chapter's website.

Sustaining Member Reception

For the third year in a row the Chapter has honored our Sustaining Members with a lovely reception sponsored by both Miller Canfield and the Chapter itself. In our first year having the event, we experienced a raging blizzard; this year it was a global pandemic. Despite the obstacles, however, a solid crew of Sustaining Members attended and were able to enjoy great food and wine, and the chance to catch up with colleagues.

Recent history shows a steady growth in this category of membership. First a little bit of history. In March of 2017 our Chapter had 7 Sustaining Members, last year at this time we had 125, and currently about 133 of our members have elected to help their Chapter by becoming Sustaining Members.

As many of you know, the mission of the Chapter of the Federal Bar Association is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner (both public and private), the federal judiciary, and the public they serve. Within the Eastern District, we take that mission very seriously and to accomplish it we are constantly providing various opportunities (through the work of our many committees, our Executive Board, and our Officers) to our general membership.

This year, with the global pandemic, we are especially cognizant of the financial pressures imposed and in April 2020, our Chapter's officers voted to extend the memberships of literally ALL our members. Our financial capacity to do this is due in no small part to both our luncheon sponsors and our Sustaining Members.

As an organization we want to thank all our members – student, junior, regular, sustaining, retired, government, etc. It is because of each of you that as an organization we are able to do what we do!

If you find yourself in a position to be able to upgrade your membership, we would love to assist (email fbamich@fbamich.org). Note that you can upgrade your membership to Sustaining at any point during the year/your membership cycle and the cost will be pro-rated.

An up to date list of our Sustaining Members is always on the website: https://fbamich.org/about-fba/sustaining-members/

And can be found below:

Barris, Sott, Denn & Driker, PLLC

Dennis Barnes Eugene Driker Erica Fitzgerald Sharon Woods

Bush Seyferth PLLC

Cheryl Bush Patrick Seyferth

Butzel Long

George Donnini David DuMouchel Diane Soubly

Dykema Gossett PLLC

Michael Blalock Grant Gilezan James Hermon Kathryn Humphrey Thomas Schehr

Fink Bressack

Darryl Bressack David Fink Nathan Fink

Hickey Hauck Bishoff & Jeffers PLLC

Thomas Bishoff Andrew Gonyea Patrick Hickey Benjamin Jeffers Stefanie Reagan Mark Hauck

Honigman Miller Schwartz and Cohn LLP

J. Michael Huget Jeffrey Lamb Robert Riley Khalilah Spencer Mark Stern Deborah Swedlow Leigh Taggart I. W. Winsten

Howard & Howard Attorneys PLLC

Robert Graziani Joseph Barber

Jaffe Raitt Heuer & Weiss PC

Christopher Andreoff Arthur Siegal Jonathan Myers

JAMS

Linda Hylenski Clarence Pozza Jr. R. Steven Rhodes Gerald Rosen Mary Beth Kelly

Kienbaum Hardy Viviano Pelton & Forrest, PLC

Ryan Bohannon Eric Pelton

(continued on page 10)

Sustaining Members (from page 9)

Miller Canfield Paddock & Stone PLC

Frederick Acomb Matthew Allen Thomas Cranmer A. Michael Palizzi Elisa Palizzi Kimberly Scott Joseph Vernon

Ogletree, Deakins, Nash, Smoak & Stewart, PC

Martin Brook Thomas Paxton

O'Reilly Rancilio PC

Craig Schoenherr James Thomas

Sommers Schwartz, PC

Arvin Pearlman Kevin Stoops Jason Thompson Matthew Turner

Steinberg Shapiro & Clark

Tracy Clark Mark Shapiro

Stevenson & Bullock, PLC

Kimberly Bedigian Charles Bullock Elliot Crowder Sonya Goll Ernest Hassan Michael Stevenson Michelle Stevenson

The Murray Law Group, PC

William Altman Gregory Murray

James Amberg – Amberg & Amberg, PLLC
Andrew McGuinness – Andrew J. McGuinness, Esq.
Michael Behm – Behm & Behm
Marc Thomas – Bendure & Thomas
David Zack – Blevins Sanborn Jezdimir Zack
Frank Angileri – Brooks Kushman PC
Daniel Sharkey – Brooks Wilkins Sharkey & Turco, PLLC
James Burdick – Burdick Law PC
Saura Sahu – Clancy Advisors PLC
Dennis Clark – Clark Law Firm PLLC
Jeffrey Clark – Cummings, McClorey, Davis & Acho
Christopher Darrow – Darrow Mustafa PC
Karen Ludden – Dean and Fulkerson
Deborah Gordon – Deborah L. Gordon, PLC



Thomas McNeill - Dickinson Wright PLLC Douglas Mullkoff – Douglas R. Mullkoff PLLC Adam Forman – Epstein, Becker & Green, PC Miriam Siefer – Federal Defender Office Gregory Meihn - Foley & Mansfield, PLLP Charissa Potts – Freedom Law, PC Angela Jackson – Hooper Hathaway, PC Ven Johnson – Johnson Law, PLC Joseph Dillon – Joseph F. Dillon & Assoc, PLLC F. Kay Behm – Genesee County Probate Court Fred Herrmann – Kerr Russell & Weber PLC Rebecca Waisanen – The Kitch Firm Christina Farinola – Law Clerk to Anthony P. Patti Kimberly Altman – Law Clerk to Hon. Avern Cohn Annie Malayang Daley – Law Clerk to Hon. Denise Page Hood Brian Legghio - Law Offices of Brian M. Legghio Charles Rutherford - Law Offices of Charles Rutherford Christine Dowhan-Bailey – Law Office of Christine M. Dowhan-Bailey Fred Mester - Law Offices of Fred Mester Jeffrey Appel – Law Office of Jeffrey S. Appel John Freeman - Law Office of John Freeman, PLLC Jorin Rubin – Law Office of Jorin G. Rubin Lisa Dwyer – Law Office of Lisa Dwyer PC Steven Fishman Marla Linderman – Linderman Law PLLC Nicholas Andrews – Liss, Seder and Andrews Marcy Hahn – Lotus Legal Solutions PLLC Earle Erman – Maddin Hauser Roth & Heller PC Victor Mansour – Mansour Law Amy Marino - Marino Law, PLLC Alexander Ayar – McDonald Hopkins Michael Rataj - Michael A. Rataj, PC Lynn Helland – Michigan Judicial Tenure Commission Kenneth Mogill – Mogill Posner & Cohen Mayer Morganroth - Morganroth & Morganroth PLLC Susan Koval – Nemeth Law, PC Hon. Hala Jarbou – Oakland County Circuit Court Robin Mocabee - Paletz Law Matthew Lund – Pepper Hamilton LLP Michael Pitt – Pitt McGehee Palmer & Rivers PC Patrick Lannen – Plunkett Cooney Catherine Dobrowitsky – Rivenoak Law Group, P.C. Frederick Damm – Scopelitis, Garvin, Light, Hanson & Feary Sheldon Toll - Sheldon S. Toll PLLC Sherry O'Neal – Shiloh Industries Inc. Abraham Singer - Singer PLLC Raymond Sterling – Sterling Attorneys at Law, PC Jack Mazzara – The Mazzara Law Firm, PLLC Michael Cox – The Mike Cox Law Firm PLLC E. Powell Miller – The Miller Law Firm Thomas Porter – Tom Porter Services LLC

Carl Gilmer-Hill – U.S. Attorney's Office

Jennifer Newby – U.S. Attorney's Office Susan Fairchild – U.S. Attorney's Office Andrew Lievense – U.S. Attorney's Office Barbara McQuade – University of Michigan Law School Brendan Best – Varnum LLP Jonathan Lauderbach – Warner Norcross + Judd LLP Paul Novak – Weitz & Luxenberg PLC

Calendar of Events

Most Spring and Summer events have been postponed due to the coronavirus. The events listed below are currently on the calendar, but please check the Chapter's website for updated information.

June 17 41st ANNUAL DINNER featuring:

- Election and installation of Officers and Board Members
- The Tenth Annual Julian Abele Cook, Jr. Bernard A. Friedman Civility Award to be
 presented in recognition of a civil
 practitioner who is an outstanding example
 of professional excellence and civility.

5:30 PM cocktails

6:30 PM dinner

Atheneum Suites Hotel International

Banquet & Conference Center, 400 Monroe St,

Detroit, MI 48226

Members: \$100 | Non-Members: \$120

Clerks/Junior Members: \$80

Table Sponsorships available:

Firms with 6 of fewer attorneys:

3 tickets for \$400

Firms with 4-14 attorneys:

6 tickets for \$800

Firms with more than 15 attorneys:

Table of 10 (9 tickets and a judicial honoree) for \$1,200

Nominations for Cook-Friedman Award due: May 29

Updates and further developments at www.fbamich.org

Federal Bar Association E. D. Michigan Chapter

P.O. Box 5249 Northville, MI 48167-1544 US POSTAGE PAID Permit #6067 Detroit, MI

PRSRT STD

Executive Director

Melinda Herrmann Phone: (248) 231-7887 fbamich@fbamich.org



Newsletter Committee:

James Gerometta Co-Editor in Chief Federal Community Defender (313) 967-5839

Andrew J. Lievense Co-Editor in Chief Assistant United States Attorney (313) 226-9665

Christina L. Farinola Career Law Clerk to Hon. Anthony P. Patti (313) 234-5200

Judge Michael J. Riordan Michigan Court of Appeals (313) 972-5662

John P. Mayer (734) 558-5593

Lauren N. Mandel Career Law Clerk to Hon. Linda V. Parker (313) 234-5148

Zainab Hazimi Warner Norcross & Judd (248) 784-5169

Erin Lange Ramamurthy Assistant United States Attorney (313) 226-9788

Joshua L. Zeman Pepper Hamilton (248) 359-7309

Susan Pinkowski Case Manager to Hon. David M. Lawson (313) 234-2662