

Summary of Applicable Cases and Biographies of the Speakers

I. Applicable Cases

In re Buttermilk Towne Center LLC, 442 BR 558 (BAP, 6th Cir. 2010)

In re Coventry Commons Assocs, 143 B.R. 837 (E.D. Mich. 1991)

In re Coventry Commons Assocs, 134 B.R. 606 (Bankr E.D. Mich. 1991)

In re Griswold Bldg., LLC, 420 B.R. 666 (Bankr. E.D. Mich. 2009)

In re Madison Heights Grp, LLC, 506 B.R. 734 (Bankr E.D. Mich. 2014)

In re Mount Pleasant Ltd P'ship, 144 B.R. 727 (Bankr W.D. Mich. 1992)

In re Newberry Square, Inc, 175 BR 910 (Bankr E.D. Mich. 1994)

In re River Oaks Ltd. Partnership, 166 BR 94 (E.D. Mich. 1994)

Security Trust Co v Sloman, 252 Mich. 266 (1930)

In re Skymark Properties II, LLC, 597 B.R. 363 (Bankr E.D. Mich. 2019)

Smith v Mutual Benefit Life, 362 Mich. 114 (1960)

In re Stearns Bldg., No. 98-1257, 1998 WL 661071 (6th Cir. Sept. 3, 1998)

In re Town Center Flats, LLC, 531 BR 176 (Bankr E.D. Mich. 2015)

Town Center Flats, LLC v ECP Commercial II LLC, 855 F3d 721 (6th Cir. 2017).

In re Woodmere Investors LP, 178 BR 346 (S.D.N.Y. 1995)

II. Biographies

HON. DANIEL S. OPPERMAN is the Chief Bankruptcy Judge for the United States Bankruptcy Court for the Eastern District of Michigan in Bay City. Judge Opperman was sworn in on July 13, 2006 and was reappointed in 2020. Judge Opperman served for six years on the Bankruptcy Appellate Panel for the Sixth Circuit and was the Chief Judge of the Panel for two years. Prior to taking the bench, he was a partner at Braun Kendrick Finkbeiner, concentrating in litigation, bankruptcy, and real estate.

Judge Opperman attended Eastern Michigan University as a Presidential Scholar and graduated magna cum laude with a B.S. degree from Eastern Michigan University in 1978 and graduated magna cum laude with a J.D. degree from Wayne State University Law School in 1981.

While at Wayne State University, Judge Opperman was a member of the Wayne Law Review and served as Note and Comment Editor. Judge Opperman is currently a Trustee of the Eastern Michigan University Foundation.

JAMES L. ALLEN retired as a partner with Miller Canfield Paddock & Stone last year. He is the author of the Michigan foreclosure chapter in the treatise The Law of Distress Real Estate. He was a Fellow with the American College of Mortgage Attorneys and has received many awards including Lawyer of the Year in Banking Law. During the last 20 years of his 43-year career Mr. Allen specialized in representing lenders in commercial real estate loans in default. As such he represented dozens of lenders in hundreds of commercial mortgage workouts and foreclosures.

BOB BASSEL has been practicing bankruptcy law for over 35 years, and concentrates his practice on representing business borrowers, including single asset real estate borrowers.

PAUL R. HAGE is the chair of the insolvency & reorganization practice group at Jaffe Raitt Heuer & Weiss, P.C. Paul represents parties in bankruptcy and other insolvency proceedings nationwide. Paul is co-chair of the Bankruptcy Committee for the Federal Bar Association for the Eastern District of Michigan. He is also the vice-chair for the State Bar of Michigan's Debtor-Creditor Rights Committee.

MICHAEL S. LEIB is a mediator and arbitrator with Leib ADR LLC in Bloomfield Hills, Michigan and specializes in the mediation and arbitration of complex business disputes including bankruptcy disputes, real estate disputes, professional liability disputes, employment disputes, and participates on the Alternative Dispute Resolution Council of the State Bar of Michigan, as well as on the Debtor Creditor Committee of the Business Law Section. Mr. Leib is on the Commercial Panel of the American Arbitration Association and member of PREMi, an organization of attorney dispute resolution experts who have numerous years of experience in both conflict resolution processes and subject matter knowledge in many industries and disciplines. He is listed in The Best Lawyers in America and is AV-rated by Martindale-Hubbell. He received his B.A. from Kalamazoo College, his M.M. from the University of Montana, and his J.D. from Wayne State University Law School.