

College Connections

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College Connections is published to apprise College members of current developments and upcoming events on a "sound bite" basis during the intervals between the Spring and Fall publications of College Columns. Please refer periodically to our website (www.amercolbankruptcy.org) for more information.

Cooper to Speak At Fellows Lunch On October 18

Make sure to join us at the Fellows lunch on October 18, where the featured speaker will be Steve Cooper, who has led many of the largest corporate assignments during his 30-plus years in the restructuring arena [Enron, Federated, Krispy Kreme and, currently, Lyondell and MGM]. We hope to draw audience participation so that you will have an opportunity to ask Steve any burning questions you may have. If you have not registered yet, you can do so by [clicking on this link](#) or through the College website at www.amercolbankruptcy.org.

Dave Heiman
Paul Singer

Prof. Kennedy To Receive College Memorial Tribute

As you know, Professor Kennedy, one of the academic giants of our profession, passed away last year. Tribute will be paid to Prof. Kennedy at the Fellows Lunch on October 18 by Jerry Smith. Please join us to honor this great academican and to hear about Jerry's experiences with Prof. Kennedy.

Ralph Mabey

New Bankruptcy Policy Committee Formed

As reported in the last issue of College Columns, a new Bankruptcy Policy Committee has been formed, and we have been asked to co-chair the new committee. The objective of the Committee is to assure that the College will be involved in the important areas in which the bankruptcy laws can and should be improved. The Committee's mission will be to identify the important issues, to assemble the resources necessary to complete analytical work, and to coordinate with other bankruptcy organizations (e.g., National Bankruptcy Conference, ABI and Business Bankruptcy Committee of the ABA) to encourage change where appropriate. Lest there be any concern, we will not be engaged in any lobbying efforts. We will keep you apprised of our activities.

Jan Baker
David Lander

Patrons and Sponsors

By now, you should have received an email requesting your firm's support in our annual Patrons and Sponsors program. Resources raised through this program have been the main reason we have been able to significantly expand our pro bono, educational and other programs over the past several years. The timing of your commitment is also important since we now are beginning our budgeting process for 2010. If you have not yet responded, simply send your commitment to Shari at college@amercol.org. We greatly appreciate your support.

Dave Heiman
Paul Singer

College Again Sponsors International Bankruptcy Course

Based on the positive feedback we have received and the willingness of a strong faculty, led by Prof. David Epstein, to return for another year, the College has agreed to again sponsor the International Bankruptcy Course, with live lecture sessions at Columbia, and video links to classrooms at eight prestigious law schools around the country. The course will begin in January. Kudos to Ralph Mabey for his initiative in organizing the course, the faculty, the law schools and the technical support required.

Sally Neely

Continued

Educational Programs

We continue to see increased activity in Circuit get-togethers and regional educational sessions. On November 16, 2009, the Sixth Circuit will host a program at Cleveland State University, where an educational program on auto bankruptcies will be offered to students, lawyers and Fellows. On January 22, 2010, the Third Circuit has scheduled an educational program in Philadelphia with a blue ribbon panel on recent developments in the law emerging from the Chrysler and General Motors Cases. Other Circuits are formulating plans for programs in 2010, details will be sent out as they become available.

Sally Neely

Circuit/Regional Meetings for Your Calendars

- In the Sixth Circuit on November 13 to 15 in Cincinnati, a combination of substance and social activities is planned for Fellows.
- The First Circuit will hold a dinner/weekend function on January 7, 2010
- The Ninth Circuit will hold an Annual Meeting in January 2010.
- The Seventh and Eleventh Circuits have agreed to do a joint social/educational program in Miami Beach in February 2010.
- The Eighth Circuit held an event on September 25-26 for a social, business and education weekend

Judge Nancy Dreher

Circuit Review and Best Practices Reports

The outstanding work of the Best Practices Committee is now published by LexisNexis in desk book form under the title "2008 Circuit Review and Best Practices Reports." The publication contains an indispensable (and periodically updated) Circuit-by-Circuit review of published court decisions in more than 45 substantive bankruptcy areas. It also includes the following Reports: **Best Practices Report—Selling Assets Outside a Chapter 11 Plan under Section 363**, prepared by Marcia L. Goldstein.

Best Practices Report—Reporting of Financial Information by Public Companies During a Chapter 11 Case, prepared by Thomas Moers Mayer (chair), Stephen H. Case, Evan D. Flaschen, David S. Kurtz, Richard B. Levin, and Lynn M. LoPucki and is new to the 2008 edition.

Best Practices Report—Debtor Employee Retention and Incentive Compensation Programs in Light of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 prepared by the Executive Compensation Committee.

Best Federal Income Tax Practices in Corporate Reorganizations was prepared by Carl M. Jenks.

The publication may be purchased by College members at a very significant discount by calling 1-800-223-1940. For more information, please [click here](#).

Douglas Baird

Foundation End of Year Donations

As you begin your year end tax planning, we hope you will consider making a tax deductible contribution to the American College of Bankruptcy Foundation which supports various charitable initiatives of the College, including, but not limited to, the Pro Bono Committee, the National Bankruptcy Archives and an Educational Project for High School Students in the Boston Area.

Joel Ohlgren

Pro Bono Activities

The Pro Bono Committee has been doing an incredible job reviewing and supporting worthwhile projects around the country. Below are some excerpts from Thank You letters that the Committee has received this year:

Iowa Legal Aid

February 26, 2009: US Bankruptcy Judge Paul J. Kilburg: "On behalf of the Bankruptcy Court for Northern Iowa, I would like to thank you for the grant to Iowa Legal Aid, which in conjunction with the Iowa Law School, is [helping] pro bono debtors. The funds were put to good use for the purchase of software to help prepare Chapter 7 petitions."

Continued

From Peter R. Moyers, Staff Attorney: “ The Project so far has been a terrific success. At our training sessions for the law students, three experienced practitioners gave presentations on the nuts and bolts of individual consumer debtor bankruptcy cases. Indeed, [College] Fellows Eric Lam and Dan Childers were great presenters and have made significant contributions to the success of this project.”

AIDS Resource Center of Wisconsin

From Doug Nelson, President and CEO: “. . . Thank. . . the American College of Bankruptcy and the American College of Bankruptcy Foundation for the generous pledge of \$1,914 to assist our bankruptcy program with a purchase of a computer for our Legal Director as well as staff training on bankruptcy law and bankruptcy guide books. . . . Thanks so much. Your support is so helpful in these tough times.”

The Tides Center, San Francisco, California

From William McGrane, Board Member: “Thanks so much. This \$10K will be a tremendous help, not just because of the money (which comes at a good time), but also by showing that [the College], with all its well-deserved prestige, is taking a leadership role in supporting this project.”

From Hon. Arthur Federman, U.S. Bankruptcy Court, St. Louis, MO

This morning we held a training program for attorneys interested in participating in our new pro bono program for adversary proceedings. We had 56 registrants who seemed quite enthused about the program. Many of them were litigators in other fields who look forward to the opportunity to actually get into court and try cases. My thanks to the Foundation, and to John Cruciani for taking the lead in putting our new program together.

Mike Cook



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