

**LEONARD H. GILBERT**  
**DISTINGUISHED SERVICE AWARD REMARKS**

**March 18, 2011**

It is a privilege to be here this evening and to be introduced by Neal Batson, whose career as a lawyer, as a leader and as a consummate professional is a stellar example of our profession. I have known Neal for a long time and have had the great opportunity to work with him in the College as well as being involved with him in insolvency matters. I am pleased that he introduced me. However, with all of those nice remarks I was not sure he was talking about me.

I am simply overwhelmed to receive this award and the recognition which accompanies it. Frankly, since Paul Singer called me to tell me about it, I have thought of little else. I thank the Distinguished Service Award Committee and the Board of Directors of the College for selecting me. The list of former recipients is an awesome one and I am humbled to join them.

Looking at all of you here in the audience, I see so many friends of long standing. There are judges and lawyers with whom I have worked or had as opponents, and friends from the College and other professional organizations as well as friends from home. While the temptation is great to recognize you, I will

not yield to that temptation for fear of leaving someone out. I will acknowledge that I learned a great deal from my association with you for which I am grateful.

I would like to take this opportunity to recognize my family, my wife, Jean, our son, Jonathan, and our daughter, Suzanne, as well as our dearest friends from home, Monika and Fred MacFawn. Please stand. Jonathan is a distinguished lawyer in Florida, now in Palm Beach. As for Suzanne, she joined Holland and Knight first and I have the pleasure of working with her on a daily basis. I want to thank my firm, Holland & Knight for all their support and allowing me to be active in the profession. I also want to recognize two of my partners who are members of the College, Samuel Zusmann and John Monaghan. They are great friends and super lawyers.

Whatever success I have achieved is simply a recognition of support and work of others. Indeed, whatever success one has in life, I do not know anyone who got there alone. I grew up in two small towns - one really small! My mother was a school teacher. My dad was a farm equipment dealer. Both my parents worked extremely hard, set a wonderful example and encouraged my brother and me in our educational pursuits. Beyond that, I am convinced without a doubt, I would not have enjoyed the achievements that have come to me but for the encouragement and support I have received from Jean and from our children.

They did not always like my dedication to work. Stopping in Yellowstone Park at every pay phone to call the office, long faxes attached to the door of our hotel room in Scotland, cancelled trips because a new case was filed or a hearing suddenly arose, did not always present itself at the opportune time. Thank you all for your love and support.

Along the way, I have to admit that I was very lucky. In Tampa, Florida, where I began my practice, bankruptcy work really was not high on everyone's list. So being the newest person in the firm, almost all of it was assigned to me in spite of the fact I knew little about it and was learning as I went along. I remember an early introduction while appearing before the Referee in Bankruptcy. Before the hearing started, one of the few lawyers in the room stood up and said "I'd like to introduce a professor from of the Stetson College of Law who recently relocated to the area. He is a professor of creditors' rights." Where upon, one of the old timers said "well, he better learn that the creditors have no rights in this court!" Of course, everyone laughed. He did come to learn that the court was somewhat debtor friendly. Tampa - Central Florida - was in the Southern District of Florida and the main part of that court was in Miami. The firm sent me to attend numerous hearings in bankruptcies and in Chapter X proceedings. They were eye-opening experiences, but I made a great many of friends and I lost a lot of my naivety about the practice. It was not until Judge Paskay took charge of the court in Tampa and

Orlando, that stability was established. We all appreciate Judge Paskay's many contributions to the insolvency profession.

As the practice developed, I had the opportunity to really do it all in this field. Debtor work, representing Chapter 7 trustees, filing Chapter X, XI and XII under the Act as well as representing secured creditors and bank groups. And when there was a lull in the insolvency work, I tried commercial cases and negotiated and documented loans. A lawyer for all persons.

I was also very lucky along the way in meeting several people who contributed to my growth as a lawyer. Bruce Schimberg of Chicago was one. Although we did not meet until many years later, early in my career he engaged me in several large cases for asset-based lenders and was a real mentor. I also had the good fortune of working on a number of Chapter X and Chapter XI proceedings throughout Florida and some in New York. About the time the Bankruptcy Code was adopted, I met Fred Fisher of Boston. He involved me in an ABA program around the country providing instruction on the new code. It was through those programs that I renewed my acquaintanceships with Harvey Miller who would later involve me in cases of some note as well as Professor Larry King. From those proceedings, I met and later represented several of the major money center banks - so that by the time this College was formed, I was honored to be included

in the first class and considered myself darn lucky. From all of this, I later became engaged in cross border work, became involved in the IBA, and then the International Insolvency Institute.

Through the years, it has been my observation and experience that our profession has grown and the respect for lawyers practicing in the insolvency area, no matter the type of representation, has rightfully grown in stature as well. Insolvency practitioners are now recognized as an important segment of the legal profession. Indeed, the cases of the last decade have confirmed that.

For me, the practice of law is a noble profession. As my late partner, the great Chesterfield Smith used to say to the lawyers at Holland & Knight, "Do good and be somebody." Whether we as lawyers are actually engaging in the practice of law or serving society in other ways, we are doing something important and we are making a contribution to society.

During the last five years, I have had the privilege, on behalf of the ABA Standing Committee on the Federal Judiciary, to vet nominees or proposed nominees for Federal Judgeships. I have made in-depth investigations of District Judge and Court of Appeals Judge nominees in several circuits and one U.S. Supreme Court nominee. These efforts provide the only peer review for someone

who will have a lifetime appointment. It has been a learning experience and has strengthened my views as to the quality of the Bench and Bar in this great nation.

The thread that runs throughout all of this is that we must set an example. Civility and professionalism must be the watch words of what we do. All of us must strive for outstanding effectiveness in the presentation of matters to the court, the reputation of thorough preparation and civility. Courtesy to opposing counsel, appropriate courtroom demeanor, ethical conduct and professionalism at the highest level, as well as long term service to the Bar, should be the guiding principles of our work. I am sure that each of you, as members of this College, already know this, and practice these tenets every day in every way. The challenge is to instill these principles in others by your example and encouragement. Admittedly, sometimes it is not an easy task, but we must nevertheless strive to do so. We must be careful not to sacrifice important traditional values. All of us must remember that criticism of the legal profession can be answered with a long list of great achievements. We must be respectful of the past, open-minded at the present and courageous about the future.

In closing, I would like to share with you a quotation to which I subscribe that I heard many years ago attributed to Harrison Tweed upon accepting the presidency of the Association of the Bar of the City of New York in 1945:

"I have a high opinion of lawyers. With all their faults, they stack up well against those in every other occupation or profession. They are better to work with or play with or fight with or drink with, than most other varieties of mankind."

My sincere thanks to the College for this marvelous award and to Neal for presenting it to me in this fabulous historical venue. As you can see, it has touched me greatly.

Thank you.