37th ANNUAL BANKRUPTCY SECTION SEMINAR

FEDERAL BAR ASSOCIATION
WESTERN DISTRICT OF MICHIGAN



**July 25 – July 27, 2025**

The Federal Bar Association for the Western District of Michigan invites you to attend this year's educational seminar at the Mission Point Resort in Mackinac Island, Michigan, featuring:

* plenary and breakout sessions covering hot topics and recent developments in bankruptcy law
* expert consumer and commercial insolvency professionals, as well as 20 federal and state court judges
* networking opportunities at one of Northern Michigan's most exciting destinations

**Friday, July 25, 2025**

**4:00 – 6:00 pm Registration**

*Lobby*

 Mission Point Resort

 Mackinac Island, Michigan

**5:00 – 6:00 pm** **First Timers Mixer with FBA Steering Committee Members and Judges (INVITATION ONLY)**

 Mission Point Resort

 Mackinac Island, Michigan

 *Cocktails and Hors d’oeuvres*

**6:00 – 10:00 pm** **10th Annual Dennis Chamberlain Friending Reception (ALL INVITED)**

 Mission Point Resort

 Mackinac Island, Michigan

 *Cocktails and Hors d’oeuvres*

**Saturday, July 26, 2025**

**8:00 – 9:00 am** **Breakfast with the Judges and Michael S. Leib, Esq., Chair, State Bar of Michigan's Special Committee on Professionalism and Civility**

*Blue Room*

**Description:** It's hard to be civil this early in the morning but grab a cup o’ joe and some grub, and give it a try. Break your fast with your colleagues and a judge or two, and with the Chair of the State Bar's Special Committee on Professionalism and Civility for an hour of table talk about practical implications of professional conduct. Look for an email in June inviting you to suggest something current and confounding to discuss during this year’s Breakfast with the Judges program. We will be sure to serve it up hot!

**9:10 – 10:10 am BREAKOUT SESSIONS**

**Session A. *Advising Suppliers Pre-Bankruptcy***

**Description:** How should you best advise a supplier prior to their bankruptcy filing? What should you consider before giving advice? Are there particular timing concerns with shipments? What options do they have, and what steps should they take before taking the plunge? What will a filing mean for their customers and others they deal with? This panel will discuss these aspects and more! Whether you represent suppliers, their vendors or customers, come learn how best to assist your clients to prepare for a supplier bankruptcy filing and how they can navigate the various options available to them.

**Presenters:** Jacob Carlton

*Miller Johnson*

Doug Bernstein

*Plunkett Cooney*

Scott Wolfson

*Wolfson Bolton Kochis*

**Session B. *New Chapter 13 Trustees & Chapter 13 Issues – From Docs to Disposable Income***

**Description:** In a slightly different context, Ronald Reagan said, "trust but verify," and this panel will help you do just that with our new Chapter 13 Trustees! You knew them as staff attorneys but what do they really think? This panel offers a great opportunity to get to know them and learn more about their path to their trusteeships and plans for the future. The new Trustees may also reveal the issues that they have circled as particularly poignant prior to their appointment. Both panelists have a long history of practice in this district and will share their experiences from their past as well as the early months as trustees! We know you will trust them even more after verifying their bona fides at this panel.

**Presenters:** Beth Clark

 *Chapter 13 Trustee*

 *Western District of Michigan*

Kurt Steinke

*Chapter 13 Trustee*

 *Western District of Michigan*

**Session C. *New Chapter 7 Trustees***

**Description:**  We've said "goodbye" to a few longtime trustees over the last year or so, and the United States Trustee has had to supplement his stack of chapter 7 panel trustees with a few new cards. We won't say the UST has added jokers to the deck, but maybe just a wildcard or two (or three)! Each new trustee comes from a different background and the FBA is pleased to give you the chance to learn more about their pasts and their plans for the future. What tips and tricks do they have to share? Bankruptcy judges may think they run the table, but anyone in practice for more than a few months knows that the trustees hold most of the cards! Get the inside line on the new dealers directly from the source, so you and your clients will be ready to play the hands you have been dealt.

**Presenters:** Allison Greenlee Korr

*Greenlee Law*

*Chapter 7 Trustee, Western District of Michigan*

Greg J. Ekdahl

*Keller & Almassian*

*Chapter 7 Trustee, Western District of Michigan*

 April Hulst

*CBH Attorneys & Counselors*

*Chapter 7 Trustee, Western District of Michigan*

**10:10 – 10:25 am Break**

**10:25 – 11:25 am BREAKOUT SESSIONS**

**Session D. *Michigan Exemption Update: A Visit to the Sausage Factory***

**Description:** "Laws are like sausages. It's better not to see them being made." We don't agree so we invite you to come learn about the sausage we call M.C.L. § 600.5541. Who knew exemptions would excite such passion and controversy? After both houses of the Michigan Legislature revised the exemptions for bankruptcy filers last year, an election intervened, and the political winds shifted. Under new management, the House of Representatives refused to send the approved changes to Big Gretch, prompting an intramural battle that spilled into the courts. Our panelists have spent many hours figuring out what all of this means for our practice. Here is your opportunity to see where we stand on the new exemptions and get the flavor of the sausage that can make or break a debtor's bankruptcy experience. Will debtors have a feast or famine?

 **Presenters**: Alexander J. Berry-Santoro

*Maxwell Dunn Law*

 Karen E. Evangelista

 *Karen E. Evangelista P.C.*

Michael Brown

*Acclaim Legal Services*

**Session E. *Important Pre-Code SCOTUS Opinions: Vestigial or Vital?***

**Description:** They say the past is prologue, so don't take a pass on this panel. The anthropological trio of Hage-Gregg-Cook is prepared to dig into the pre-Code past—you should join them on their excursion! What opinions did the High Court issue before 1978? Are these rulings now vestigial remnants of our evolution as bankruptcy lawyers (like the appendix we once used to digest grasses on the plains), or do they still perform vital functions in our modern lives? Is there any meat on the old bones? Bring your shovels to this panel and help the experts unearth our past!

 **Presenters:** Hon. Paul R. Hage

 *U.S. Bankruptcy Court*

*Eastern District of Michigan*

Hon. John T. Gregg

*U.S. Bankruptcy Court*

*Western District of Michigan*

 Susan M. Cook

 *Warner Norcross + Judd*

**Session F. *Corporate Management in Closely Held Debtors***

**Description:** Closely held debtors doesn’t just mean those that could use a tight hug or short leash! Small business accounts for most of the economic activity in our country, and almost certainly in our district, and many small businesses adopted the corporate form (in theory if not in practice). How does management or corporate structure in closely held enterprises affect economic arrangements and how does this change bankruptcy planning? Learn how best to untangle tight-knit managerial corporations from a panel that has plenty of experience doing exactly that.

 **Presenters:** Brendan Best

 *Varnum*

David Bevins

 *Rhoades McKee*

Elliot Crowder

 *Stevenson & Bullock*

**11:40 am – 12:40 pm**

 **AWARDS AND ANNOUCEMENTS**

**11:40 am – 12:40 pm**

**KEYNOTE ADDRESS – TBD**

**Description:**

 **Presenters:**

**4:30 – 6:00 pm Speaker/Sponsor Reception (INVITATION ONLY)**

**6:00 – 8:00 pm Picnic (for those who purchase tickets)**

**Sunday, July 27, 2025**

**8:00 – 9:00 am BREAKOUT SESSIONS**

**Session G. *Dispositive Motion Drill Down***

**Description:** How do you draft a winning dispositive motion? Sometimes it is tempting to blend Rule 12(b)(6) or 12(c) with Rule 56, but you should attend this panel before you give in to that urge. Rule 12 and Rule 56 serve different purposes, and it pays to know when to pull one or the other out of the toolbox. Have you been wondering how to support or oppose a summary judgment motion, or to point out how your adversary's motion or response falls short? Everyone has a different approach to dispositive motions, and it always helps to learn about other ways in order to perfect your own craft. This panel will focus on the methods used by our three esteemed practitioners who will share their tips and tricks and invite you to get into the weeds a little.

 **Presenters:** Emily Rucker

 *Warner Norcross + Judd*

 Nick Laue

 Keller Almassian

 Kim Clayson

 *Taft*

**Session H.  *Elder Abuse and Senior Scams: Take the Sting Out of Catfishing and Other Scams***

**Description:** The FBI reports that millions of elderly Americans fall victim to some type of financial fraud or "con game" each year, including romantic catfishing, lottery, and sweepstakes scams. The elderly are perfect targets—frequently trusting, invariably polite, often lonely, and sometimes flush with savings or equity. They may also be ashamed of falling victim to scams and therefore unwilling to seek help, which can leave them penniless or worse. Let our panelists alert you to the dangers (and the available resources) so you can help your elderly clients avoid, or perhaps recover from, financial scams and elder abuse.

 **Presenters:** Jeffrey Mapes

*Michigan Department of Attorney General*

Michelle Bass

*Wolfson Bolton Kochis*

**Session I. *Cash Collateral Refresher***

**Description:** Cash is king, and in most reorganizations § 363(c)(2) is the key to the kingdom. Without access to cash collateral, a debtor usually can't make payroll, or pay for utilities, or purchase the goods and services upon which its survival depends. Cash collateral is so important that most reorganization proceedings begin (or end) with a "first day hearing" on cash collateral. The Bankruptcy Code's protection of the crown jewel of cash collateral yields, sometimes, to the necessity of the situation and the substitute protection – adequate protection – that a debtor can offer the creditor. This panel offers a refresher on the definition of cash collateral, the adequacy of protection, proper notice, interim versus final relief, evidentiary tips, and other secrets to gaining early access to the vital treasure we call cash collateral.

 **Presenters:** Jason W. Bank

 *Kerr Russell*

 Allison Bach

 *Dickinson Wright*

 Todd Almassian

 *Keller Almassian*

**9:05 – 10:05 am BREAKOUT SESSIONS**

**Session J. *Landlord Tenant Issues / 365 & Commercial Real Estate***

**Description:** After COVID, there's no telling who will file for bankruptcy protection, the commercial landlord or the tenant. Changes in work culture, teleworking, vacancy rates, and technology, make it anyone's guess who is more likely to file, landlord or tenant, and this panel will discuss the repercussions, and make predictions, about both. Depending on where you sit, you may be feeling the sting of rejection, or getting the benefit of assumptions, or simply waiting in limbo as someone else decides what to do with your property. This panel will help you get a better grip on how § 365 works, the timing of claims, the cap on claims, the rights of the parties pending assumption or rejection, as well as the policies and practices governing the Bankruptcy Code's treatment of unexpired leases. Time permitting, the panel will tackle residential and commercial lease issues through the lens of § 365.

 **Presenters:** Norm C. Witte

 *Witte Law*

Marc Bakst

*Bodman PLC*

Julie Teicher

 *Maddin Hauser Roth & Heller*

**Session K. *Solar Panel Panel: Something New Under the Sun***

**Description:** *“The sun’ll come out tomorrow, bet your bottom dollar that tomorrow there’ll be sun.”* Our panelists might not sing show tunes from *Annie* but they will shine brightly as they discuss what happens when individuals bet their bottom dollar on residential solar panels or when the solar panel company (or installer), like Icarus, flies too close to the sun. The dockets are filling up with frustrated consumers suing their solar panel manufacturers and installers, and with manufacturers and installers filing for relief under the Code. These disputes raise complicated jurisdictional issues, removal and remand disputes, consumer protection issues (including the FTC Holder Rule), issues involving the U.S. Judicial Panel on Multidistrict Litigation, discharge exceptions, and other concerns. Don't miss Sunday's sunniest panel.

 **Presenters:** Nicholas A. Coulson

 *Coulson, P.C*.

 Ellen Arvin Kennedy

 *Dinsmore*

 Emily Gudwer-Ceric

*CBH Attorneys & Counselors*

**Session L. *Sub V - Case Law Splits***

**Description:** Who hasn’t found themselves wondering about the splits in cases involving Subchapter V proceedings? Not only will this panel solve those pesky questions and cure your curiosity, but it also promises to provide an all-encompassing review of current Sub v issues. The FBA is honored to have the esteemed panelists who know all the ins-and-outs of your favorite subchapter and who are ready to lead you through the splits (not calisthenics, the other kind) in the cases. Leave your yoga mat behind, but bring a pen and pad of paper and prepare for a splits workout like you've never experienced.

 **Presenters:** Pamela A. Ritter

 *Strobl*

 Lynn Brimer

 *Strobl*

 Tom Richardson

*Lewis Reed & Allen*

**10:05 – 10:20 am**  **Break**

**10:20 – 11:20 am BREAK OUT SESSIONS**

**Session M. *Rules Refresh: Service & Beyond***

**Description:** Who needs a coffee at 10:30 when you can come to this Rules Refresher! Focusing on service, dismissal, amendments, and even evidence, our panelists will give a survey on rules that often fall by the wayside. We will touch on the current and pending federal rules, the local rules, and maybe touch on the work of the newly reconstituted WD Mich. Committee on Local Rules. Hold on to your seat during this rollercoaster of a discussion, hopefully you can handle the thrill. "Yeah, right," you say, but this adrenaline-filled-foursome is excited to get going on the ever-exciting topic of rules.

 **Presenters:** Hon. Scott W. Dales

*U.S. Bankruptcy Court*

*Western District of Michigan*

Nate Mark

*Dietrich & Kenyon*

Noah Chase

*U.S. Bankruptcy Court*

 *Western District of Michigan*

Harlee L. Nowland

 *Russell Law Firm*

**Session N. *Basic Finance for Bankruptcy Counsel***

**Description:** Many lawyers, and more than a few judges, went to law school precisely because they hate math. But finance is not just math and, let's face it, we can't counsel our clients without a basic understanding of the numbers. Indeed, you probably have found that many of your clients end up in the tank because they, too, neglected the basics. For business debtors, the failure to file timely and accurate operating reports is a leading cause for conversion or dismissal. Did you take finance and accounting those few short years ago before law school? If you did, surely nothing has changed since then. Ha! If you didn’t, here is a crash course that will get you up to speed. The trio of panelists are well-versed in finance and accounting principles and are eager to share their expertise with you! Whether you plan to use this information for your own firm's accounting or for understanding the financial documents and struggles of a client, or both, these panelists are certain to help.

 **Presenters:** Matt Thiede

*Distel Thiede Advisory Services*

 Kristin Lytle

 *Wesler & Associates CPA*

 **Session O. *Preclusion Issues: "You say "tomato, I say "tomahto"***

**Description:** Where you call it "res judicata" or "claim preclusion," or "collateral estoppel" or "issue "preclusion," by any name there's no way to preclude preclusion in bankruptcy court. Many clients arrive here precisely because a prior adjudication did not go their way, and now they have to make sense of what happened in the non-bankruptcy forum. We will also consider the "Full Faith and Credit" statute, the "Law of the Case" doctrine, "Judicial Estoppel," and even an evidentiary issue or two bearing on preclusion. We're not gonna lie – the issues are tricky. That's why we assembled a blockbusting panel to help us make sense of the various doctrines by whatever name. This panel promises to shed light on a sometimes counter-intuitive and policy-driven area of the law.

 **Presenters:**  Hon. Joel D. Applebaum

*U.S. Bankruptcy Court*

*Eastern District of Michigan*

Charlie Quigg

*Warner Norcross + Judd*

 Perry Pastula

 *Dunn, Schouten & Snoap*

**11:25 am – 12:25 pm**

**CASE LAW UPDATE (PLENARY)**

**Description:** This capstone panel returns yet again for another case law update. The trio of DeCarlo, Genovich, and Boyd have been faithfully practicing their routine and are more than ready to provide a rundown on all the germane cases from the past year. From the facts to the holdings, from the near to the far, from the highs to the lows, this plenary panel will not disappoint. This is a terrific way to end the conference.

 **Presenters:** Thomas D. DeCarlo

*John A. Steinberger & Associates*

Laura J. Genovich

 *Foster Swift*

 *Chapter 7 Trustee, Western District of Michigan*

Hon. James W. Boyd

 *U.S. Bankruptcy Court*

 *Western District of Michigan*

**Seminar Co-chairs:**

Lisa A. Hall Elisabeth M. Von Eitzen

Plunkett Cooney Warner Norcross + Judd

**Education Committee Chairs**

Hon. Scott W. Dales

U.S. Bankruptcy Court

Western District of Michigan

Hon. James W. Boyd

U.S. Bankruptcy Court

Western District of Michigan

**Consumer Committee:**

Michelle Bass Elizabeth T. Clark Michael P. Hanrahan

Wolfson Bolton Kochis Chapter 13 Trustee CBH Attorneys & Counselors

**Commercial Committee:**

A. Todd Almassian Paul R. Hage Perry Pastula

Keller & Almassian U.S. Bankruptcy Court Dunn, Schouten & Snoap

 Eastern District of Michigan

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